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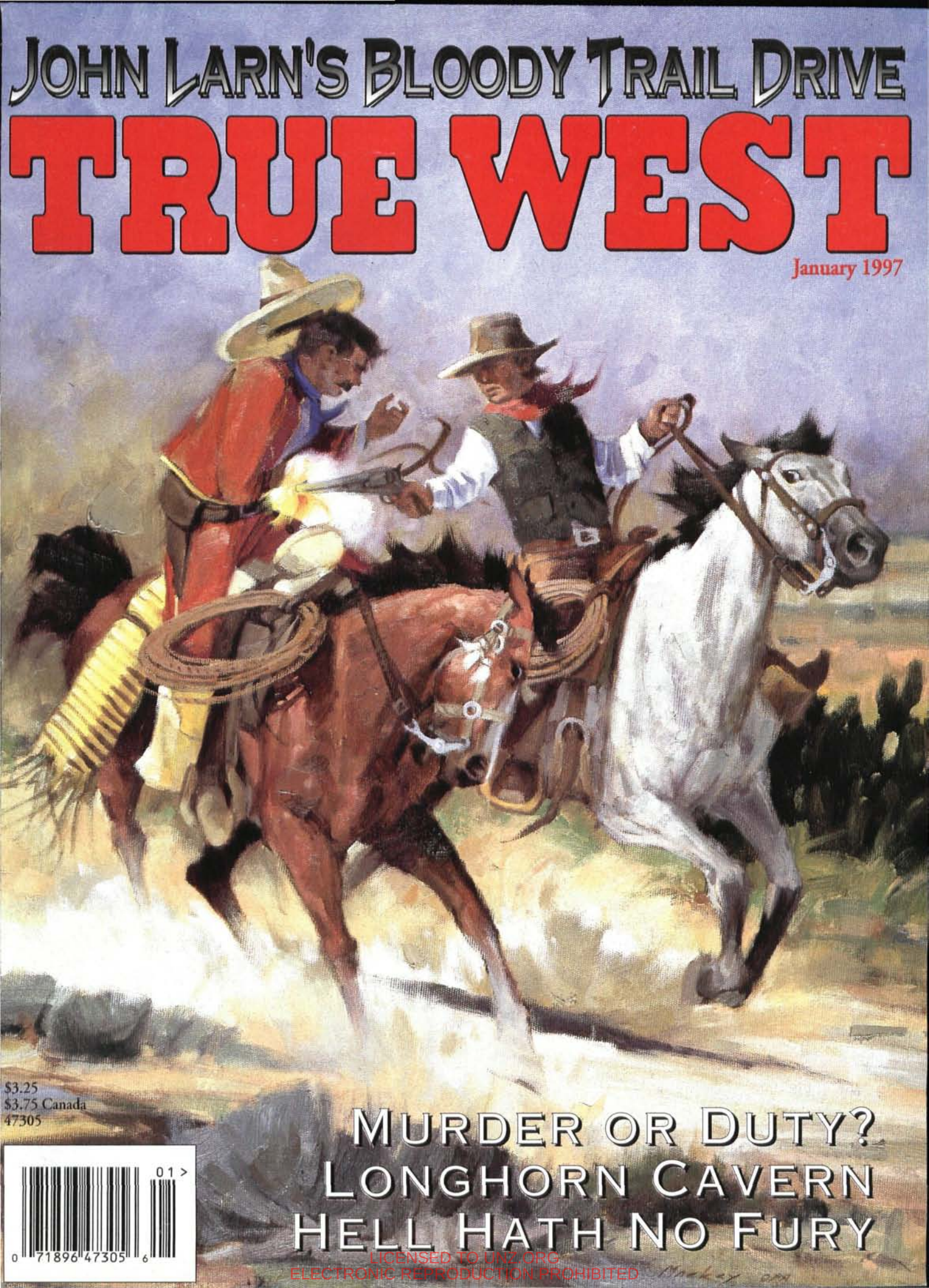
TRUE WEST

January 1997



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HELL HATH NO FURY

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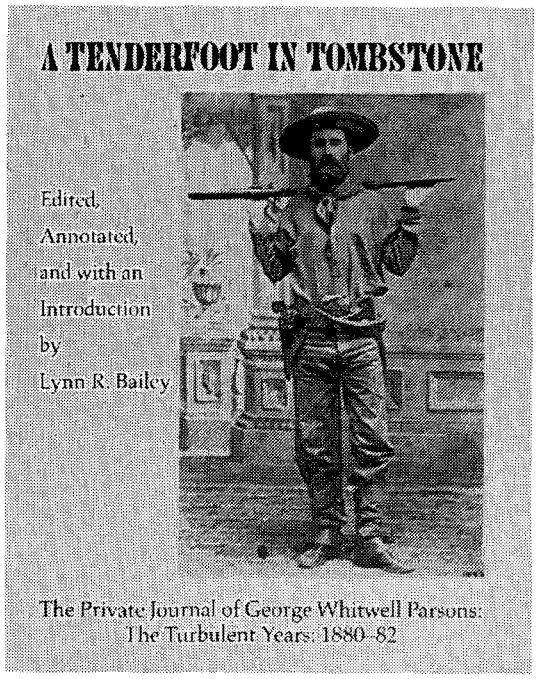
A TENDERFOOT IN TOMBSTONE

The Private Journal of George Whitwell Parsons: The Turbulent Years, 1880–82

Edited, Annotated, and with Introduction and Index

By Lynn R. Bailey

Author of *Bisbee, Queen of the Copper Camps, Old Reliable, The Search for Lopez,* and *We'll All Wear Silk Hats,* etc.



George Whitwell Parsons was an Easterner, trained as a banker, who wanted to carve a niche for himself in hardrock mining. To do so, he picked one of America's most isolated silver camps, Tombstone in Arizona Territory. Although he failed to find his El Dorado in southeastern Arizona, and never left an enduring mark on the region, he presented a priceless account of everyday life in Tombstone during its heyday.

George recorded not only his daily struggles in mining, but the ups-and-downs of the tempestuous community. Once he got used to the town's rough edges, Parsons became a community and county activist. He spearheaded a movement to build a Presbyterian church and bring ministers to Tombstone. As a member of the Citizens Safety Committee, he fought the fraudulent actions of the Tombstone Townsite Company and became an outspoken advocate for a no-nonsense approach to curbing the lawlessness then sweeping southeastern Arizona. His observations regarding crime and the town's response to it, as well as the Earp-cowboy vendetta have been quoted over and over again. In fall of 1881 Parsons joined a group of Tombstoners in a chase across the Sulphur Springs Valley to head off marauding Apaches before they escaped into Mexico. His comments regarding this sojourn are especially pertinent, when one considers that a month later members of this group would shoot it out on a Tombstone street.

George Parsons' journal offers much more than a glimpse into personal and political machinations. He brings forth the town's cosmopolitan atmosphere. It had two daily newspapers, and national theatrical troupes augmented hometown performances in a half dozen theaters. Restaurant food ran the gambit from bland Irish and Welsh fare to French cuisine. Ice cream and oysters were readily procurable, thanks to refrigeration. Besides offering a wealth of information on daily life in Tombstone, George's journal sheds great insight into community leadership with portraits of John Clum, J. V. Vickers, Dr. George Goodfellow, Michael Gray, Philip Morse, William H. Bayless, the Girds, and religious leaders Endicott Peabody and Joseph McIntyre. Added to this, Parsons presents a fascinating picture of emerging commerce, particularly the rigors of small-scale mining in the Tombstone District and in the Huachuca Mountains. Last but not least, George Parsons emerges from his journal as a complex man, with contrasting traits; tenacity being his dominant quality. And thanks to that tenacity he left the only available journal bearing upon Tombstone's early years.

This entertaining and compelling journal, first transcribed by the WPA in 1932 and published in 1972, has been redesigned and set in type. Obvious errors which crept into the WPA transcription have been corrected, and an introduction added, which casts light on George Parsons' background, personality and his eventful life after leaving Tombstone. Annotations and an index compliment the volume, as do engravings taken from the *Arizona Quarterly Illustrated* and the *Mining and Scientific Press,* two contemporary publications. This attractively designed hard cover book of 273 pages is composed in 6" x 9" format. It has printed endsheets and the dust jacket is in color. This is Volume 65 of Westernlore's Great West and Indian Series. ISBN 0-87026-095-2. As this edition is limited to 1,000 copies only, we suggest you reserve your book now.

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TRUE WEST

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Whole No. 345

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Our Cover

John Larn rides down an innocent *vaquero* on his bloody trail drive.
By Kim Mackey

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FROM THE EDITOR

Howdy, ya'll!

It's a pretty rough row to hoe finding something new and interesting to jaw about each month, but I'll tell you, I'm downright inspired today to peck on the old keyboard.

I was reading the paper and putting off my editorial duties when I came across a story that I thought I would share. It's no secret that *True West* readers are some of the friendliest folks around, and well, there's a little town in New Mexico that needs our help.

It seems that the mayor of Columbus, New Mexico, Carlos Ogden, and two librarians, Jeane Canfield and Terry Athey, are attempting to turn an old bar into a library for the children of their little town.

The bar, formerly named after Columbus raider Pancho Villa, is being renovated with hopes that the local school kids will have a place to study and do a little research after school. The Columbus kids take a bus to Deming, some thirty-five miles north, to attend class. Up until now there's been no place for them to get books when they return home.

Now, Mayor Ogden and his staff have very limited funding to get the library open and are in the process of obtaining a grant so the kids can use computers and explore the Internet. What they need desperately, however, are books.

Terry told me on the phone that any books will do, although they really need reference materials, Spanish history, American history, and magazines.

This project strikes pretty close to home for me as my great-grandmother lived in Columbus. I've spent many a day in that town, chasing lizards and pulling cactus thorns from my feet. Three miles south across the Mexico border is Las Palomas. I can smell the red chile tamales just thinking about it.

If you can spare books of any kind, think about sending them to Columbus. I've already sent a boxfull and a year's worth of *True West.*

Send contributions to:
Columbus Library
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Now to some less important business. Back in the November issue I mentioned that I would like to add a cartoon to our pages. Well, after considerable scouting, I finally found the person for the job. His name is William Henderson and you'll notice as soon as you see his work that he is one zinger of an artist.

When Bill's cartoon came in the mail and we put it on the page where it belongs, Chuck and I remembered that we didn't have a name for our new addition to the *True West* family. We kicked our boots up and threw names out at random, but I'll be darned if our idea well ran dry.

Remembering that founder Joe "Hosstail" Small often let readers name new columns, I figured that if it worked for Hosstail it might work for us too.

So, here's the deal. The name of our new cartoon feature is in your hands. Send us every idea you get and the one that fits the mold will win a prize. I figure a genuine *True West* coffee mug (just like the one that holds my morning joe) and a one year subscription to our companion rag *Old West* should be a good reward.

Get those pens moving and we'll be watching the old mail pouch.

In the meantime, enjoy Bill Henderson's cartoon. The first installment, located on the next page, highlights what happened when Joe Grant tried to out-gun a young New Mexico cowboy named William Bonney. If you like it, drop us a line and we'll pass it along to Bill.

Marcus Huff

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THE DEATH OF JOE GRANT

BY WILLIAM HENDERSON

This is the first installment of a new feature by artist William Henderson. Each month will feature a different scene from events in the American West.

January 10, 1880, Fort Sumner, New Mexico Territory—Billy the Kid outsmarts and outguns Joe Grant in a Fort Sumner saloon. Grant has been bragging that he will kill the Kid on sight. Billy approaches Grant, asks to inspect his pearl-handled revolver, sets the hammer on an empty chamber, and hands the gun back to the drunken Grant. Before the evening is over, Grant pulls his pistol, aims at the Kidand pulls the trigger. The weapon merely clicks on the empty chamber and the Kid answers the threat by calmly pulling his pistol and shooting Grant in the face. Grant dies immediately.

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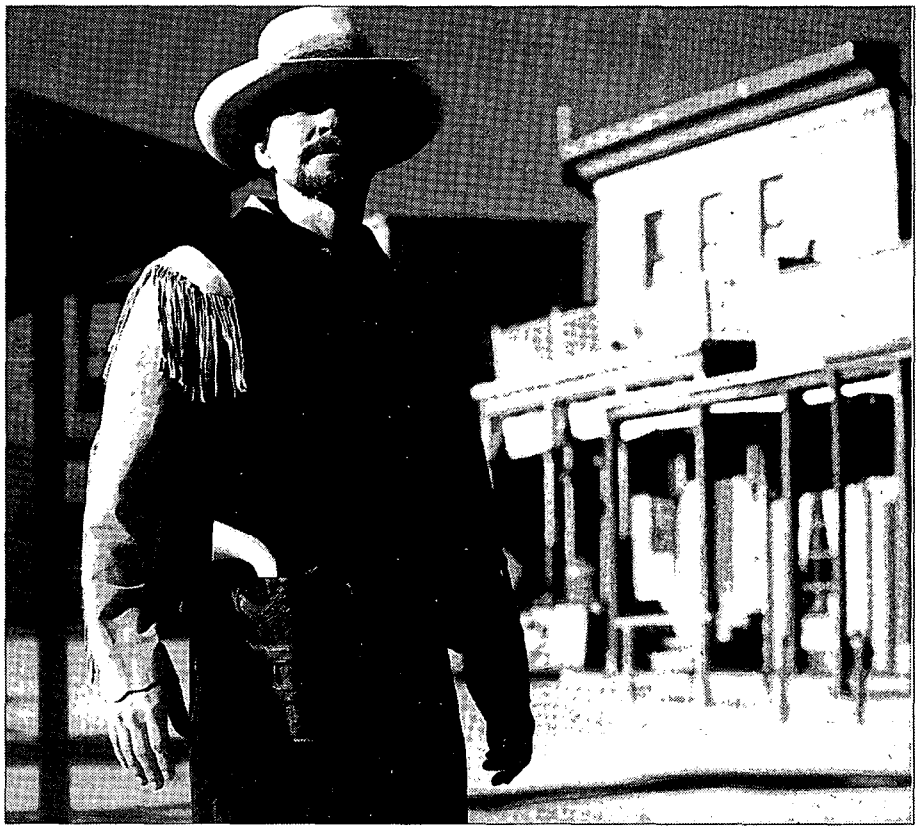

Photo courtesy of Richard Ignarski

Richard Ignarski, "The Gunfighter Artist."

THE GUNFIGHTER ARTIST

My interest in the Old West began more than thirty years ago, when my father started bringing home copies of *True West* and *Frontier Times.*

The first thing I would do is study those great covers that featured paintings of Billy the Kid, Apaches, buffalo hunters, stampedes, and treasure from those great cover artists of the past, including Gene Shortridge, Taylor Oughton, Joe Grandee, and Randy Steffen. Boy, did I like those gentlemen's covers.

You can imagine how thrilled I was when I got home to find *True West, Old West* and *Frontier Times* waiting for me. They were more than historical magazines to me, they were my art collection.

I'm forty-five years old now and always look forward to seeing the next *True West* cover. It's still the first thing I study before opening the magazine.

I guess I'll never change.

I live in New Mexico now and paint Old West gunfighters on both sides of the law. I guess you can say those *True West* covers are responsible for my picking up the paint brush.—*Richard Ignarski, Albuquerque, New Mexico.*

Editor's Note: Richard will be joining his boyhood heroes by getting a *True West* cover of his own. We were so downright impressed with his artwork that we decided to give him a shot at next month's cover. I would tell ya'll what it's a painting of, but that would ruin the surprise.

Your letters and comments are welcome. Please keep letters to 300 words or less. All letters received by Western Publications will be considered for publication unless otherwise stipulated in the letter. Space does not permit us to print all letters we receive. Be sure to include full name, address, and zip code. Photos are welcome. Address all letters to Western Publications, PO Box 2107, Stillwater, OK 74076. E-mail us at, Western@cowboy.net. Due to the volume of mail, we cannot forward correspondence to people whose letters appear in "Truly Western."

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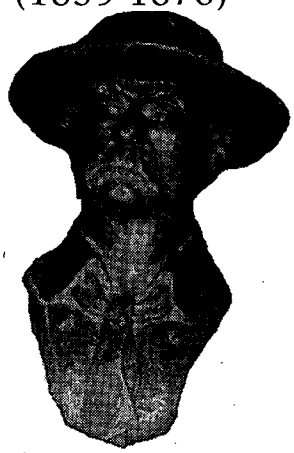

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FOUR MILE HOUSE

BY
SHARON E. MARTIN

When the stage stopped at Mary Cawker's place on the Cherokee Trail, the driver traded in his tired mules for a team of horses. It was show business. A matched team of four to six horses carried the stage in style the last four miles along the trail into Denver.

After delivering their cargo and passengers into the fledgling city, the driver returned Mary's stock. The real work along the trail was accomplished with less flash.

According to Pat Riegel, a volunteer with the Four Mile Historic Park, Mary's tavern and unofficial stage stop, called Four Mile House, had a reputation as a rowdy place. It wasn't that Mary was a loose woman; there's no one alive to tell us if that is or isn't so. It was the times. Miners, adventurers, Indians, and folks out to seek their fortunes inhabited Colorado Territory in the mid-1800s.

There were some amenities. "Mary invited the ladies into her parlor to freshen up," Ms. Riegel says. "The men had to stop at the well to remove the dust of the road."

Again, with Mary, it was all show business. Her parlor opened onto a tiny bedroom. Mary papered the small room, but only that part of the room visible from the parlor!

Mary, a widow with two children, wasn't Four Mile House's first owner. The log house was built in 1859 as a home for Elizabeth and Samuel Brantner. Their daughter, Izamba Anna, was born in the house

Courtesy of the author

Draft horses and a teamster on a remnant of the old Cherokee Trail, named for the Indians who blazed the road.

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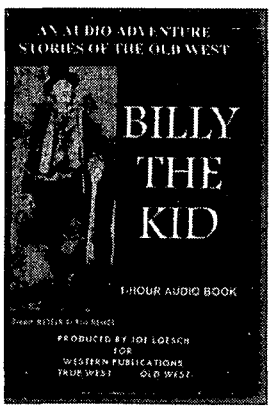

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in October of 1859.

The Brantners constructed Four Mile House as a home, not a tavern, but through 1859 and 1860 travelers poured into Denver by the thousands, many of them on the Cherokee Trail. Four Mile House, on Cherry Creek, became an unofficial stop.

Because the United States had not completed its survey of the Colorado region and offered it for public sale, it was illegal to buy or sell land there in 1860. However, the Brantners "transferred" their property to Mary Cawker, and she and her children, Samuel, nineteen, and Elizabeth, seventeen, moved into Four Mile House on September 20, 1860.

The comings and goings at Four Mile House rated mentions in at least two sources, including the *Rocky Mountain News* which recorded Elizabeth Cawker's marriage to Calvin A. Loomis, Jr. The October 29, 1862, issue of the paper reported that the wedding was held "at the home of the bride's mother, four miles up Cherry Creek."

Floods in May of 1864 ended Mary Cawker's reign as queen of Four Mile House. Although the house wasn't damaged, the creek had changed its course, flowing uncomfortably close to Mary's home. Millie and Levi Booth arrived in the wake of the flood waters, set up camp at Four Mile House, and stayed for the rest of their lives. Because the government survey of Section 18, T4S, R67W was completed in 1862, Mary Cawker was able to sell her "squatter's rights." The Booths paid $800 for the land, house, "stabiles [sic], stone, and fences."

In 1934, Four Mile House became the first residential structure in Colorado to be recorded in the Historic American Building Survey, and it stopped a major thoroughfare in 1969 when it was listed in the National Register of Historic Places.

Today, Four Mile House is an island again, not hemmed in by the flood waters of Cherry Creek but by the flood of development. De-

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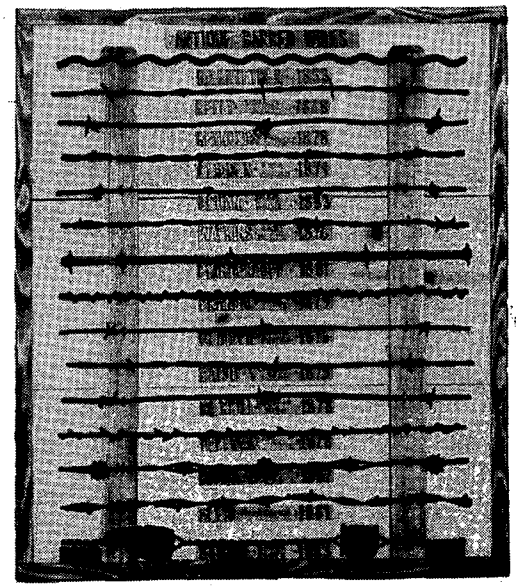

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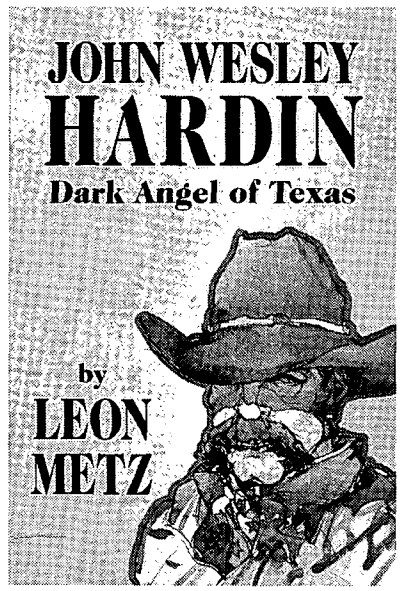

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Courtesy of the author

Volunteers in period dress cook in the summer kitchen at Four Mile House. The food is prepared on a wood-burning stove.

dicated to the citizens of Denver as a public park on May 1, 1978, it is a nest of calm, beauty, and living history just east of Colorado Boulevard on the north bank of Cherry Creek. The parlor and tavern appear as they were in Mary Cawker's time. The loft above the tavern harkens back to the original builders, the Brantners. The remaining house is as Levi and Millie Booth left it, containing the Booth's furniture and tools of daily living.

Outdoors, one can wander through Millie's rose garden or take a ride in a coach pulled by Percherons, showy silver draft horses. Bob Riegel drives the team along a dirt trail, giving riders a taste of this less-than-glamorous mode of travel. Pat Riegel and other docents in period dress guide visitors through the many rooms of the house.

Four Mile House is open to visitors on April 1 through September 30, Wednesday through Sunday, from 10 AM to 4 PM. Tours of the house start on the hour. The coach picks up passengers between 11 AM and 2 PM, with rides all day Saturday. Admission is $3.50 with reduced fees for students ages six to fifteen and folks sixty-five and older. Children under six are admitted free. The coach ride costs one dollar.

If you're planning to be in the Denver area during the winter months, call (303) 399-1859 to verify the hours.

Western Roundup is a report on places to go and things to see associated with the history of the Old West. Submissions are welcome. Information on scheduled events should be submitted at least four months prior to the event. Items on historic places are also welcome. Send information including photos to: Western Roundup, Western Publications, P.O. Box 2107, Stillwater, OK 74076.

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John Wesley Hardin.

January 1870;Horn Hill and Kosse, Texas. Sixteen-year-old Wes Hardin, who had killed a gambler in Towash, Texas, on Christmas Day, was on the run with a companion. Arriving at Horn Hill, they discovered that a circus was in town, although that afternoon members of the troupe had clashed with townspeople attracted to the circus,

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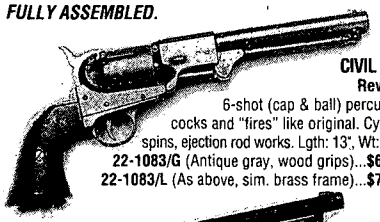

CIVIL WAR Revolver
6-shot (cap & ball) percussion cocks and "fires" like original. Cylinder spins, ejection rod works. Lgth: 13", Wt: 2 lbs.
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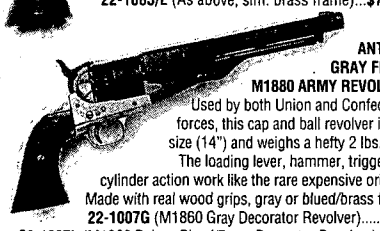
22-1083/L (As above, sim. brass frame)...**$70 PPD**



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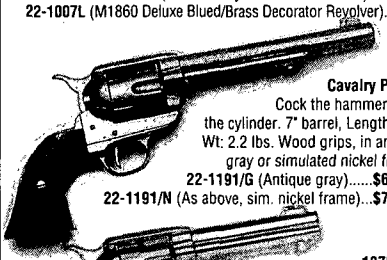
22-1007G (M1860 Gray Decorator Revolver)..... **$67**
22-1007L (M1860 Deluxe Blued/Brass Decorator Revolver)... **$72**



1873 Cavalry Pistol.
Cock the hammer, spin the cylinder. 7" barrel, Length: 13", Wt: 2.2 lbs. Wood grips, in antique gray or simulated nickel frame.
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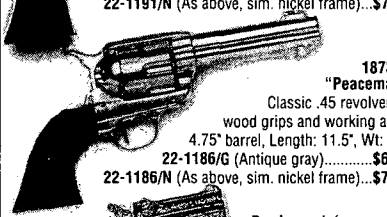
22-1191/N (As above, sim. nickel frame)...**$72 PPD**



1873 "Peacemaker"
Classic .45 revolver with wood grips and working action. 4.75" barrel, Length: 11.5", Wt: 2 lbs.
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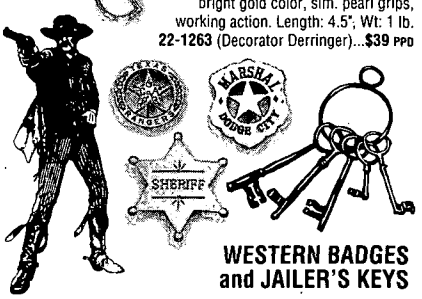

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as well as trouble, Wes soon quarreled with a burly circus man.

The man staggered Wes with a punch and reached for a pistol. But while other men angrily resorted to their fists, Hardin automatically went for his guns. Wes already had his revolver out, and he shot his adversary in the head, then galloped out of town alone.

Stopping off in Kosse, Wes encountered a girl who, assisted by a male confederate, tried to roll the young gunman that evening. Wes threw his money onto the floor, and as the man stooped to pick it up, Hardin whipped out a revolver and shot the thief between the eyes. Retrieving his money, Wes galloped out of town.

January 24, 1871 Young County, Texas. Former slave Britt Johnson is attacked and killed by Kiowa Indians after a brutal fight. Johnson had found fame as a man who tracked and rescued his two children and wife after they were kidnapped by Kiowa in 1864. His story helped inspire the film, *The Searchers.*

The battle that took Johnson's life took place as Johnson and three other black teamsters were hauling freight to Fort Griffin, Texas. Johnson and his companions fought the Kiowa attack from the shelter of dead their mules until only Johnson was left alive. Undetected teamsters who remained under cover witnessed the fight.

Johnson,s companions were killed in the first two charges. Johnson then shot his favorite horse and took a new position behind it. In subsequent charges by the Indians Johnson reaped a deadly toll with his rifle. When the Kiowa finally defeated him they left his body scalped and mutilated, a cavalry detail from Fort Richardson, Texas, arrived and buried the bodies of the fallen teamsters. Johnson had 173 empty rifle shells around his body.

January 22, 1877, Lampassas, Texas. Embroiled in a desperate range war, John "Pink" Higgins shoots and kills Merrit Horrel in the Matador Saloon. The two ranchers had a long running dispute over water rights and rustled cattle from both sides.

Higgins came through the back door of the saloon and shot the unarmed Horrel four times.

January 25, 1880, Las Vegas, New Mexico. "Mysterious" Dave Mather worked on both sides of the law. He had been a rustler, and had been implicated in train and stage roberies. He was working as a constable in Las Vegas New Mexico, however, when Joseph Castello, a young railroad employee arrived in charge of a repair crew.

A little after 10:00 PM on the twenty-fifth, two of his workers drunkenly began to quarrel. Castello tried to intervene but a crowd quickly gathered and Castello and one of his men brandished pistols to keep the townspeople at bay.

Constable Mather then arrived and ordered the railroad men to put up their weapons. In reply Castello leveled his six-gun at Mather and threatned to shoot him if he took another step. Mathers immediately pulled his own pistol and shot Castello.

The bullet penetrated Castello's left side going through his lung, stomach, and into his liver. He lived until six o'clock the next morning.

January 26, 1890, Oklahoma. United States Marshal Heck Thomas shoots and kills Jim July. July had jumped bail after being charged with robbery. When Thomas tried to take him in July resisted arrest.

January 29 and 30, 1895; Nowata, Oklahoma. Notorious murderer Crawford Goldsby, alias Cherokee Bill, had begun meeting his sweetheart, Maggie Glass, at the cabin of Ike Rogers and his wife, who was Maggie's aunt. Of Mixed Cherokee and African descent, Rogers was a deputy United States marshal. He was an ineffectual lawman, however, and Cherokee Bill felt reasonably safe at his cabin five miles east of Nowata. A black handyman named

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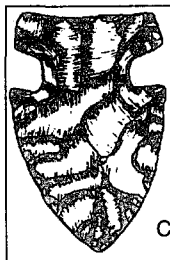

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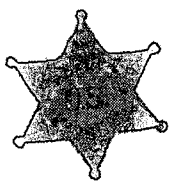

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Clint Scales noticed the fugitive at the Rogers cabin and informed Deputy United States Marshal W.C. Smith. Smith offered Scales and Rogers each one third of a reward on Bills head if they would help capture him.

They planned to invite Maggie to the Rogers cabin for several days, and when Cherokee Bill stopped for a visit, Scales would drop by, then help Rogers overpower the wanted man. On January 29, deputies Smith and George Lawson received word that Bill was at the cabin. The two lawmen promptly headed for Nowata.

Cherokee Bill and Maggie were alone for a long period before supper, but when Scales arrived the fugitive became suspicious and kept his Winchester ready. Maggie and her aunt went to bed, but the three men played cards until 4:00 AM. When the men finally bedded down, Scales curled up on the floor while Rogers and Bill got in the same bed. Bill took his Winchester to bed with him though, and gave Rogers no chance to jump him.

The next morning Bill rolled a cigarette and stooped over the fireplace to light it. Rogers instantly snatched up a piece of firewood and hit Bill across the back of the head. Bill was stunned, but he fought desperately when Rogers and Scales jumped him. After a long struggle Rogers and Scales finally forced handcuffs onto their prey.

Cherokee Bill begged his captors to kill him. He tried to bribe them with money and horses, then he cursed them. They dumped him into a wagon, but on the way into Nowata, Bill made a violent attempt to escape. At last Rogers and Scales delivered Bill to Nowata, and by nightfall Smith and Lawson had taken him to the federal prison in Fort Smith, Arkansas, where he would soon be arraigned before Judge Isaac Parker.

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THE PECOS

Editor's Note: *In 1876, New Mexico Territory cattle barons John Chisum and Bob Wylie decide enough is enough. Their herds are a constant source of revenue for area rustlers, so Chisum and Wylie combine forces to put an end to the thievery. Led by Buck Powell, Dick Smith, the Beckwith family, and a band of Seven Rivers cowboys, the rustlers prepare to fight the Chisum-Wylie forces. A Wylie cowhand named Yopp is killed and Chisum cowboy Jim Highsaw guns down Dick Smith after a confrontation at a lonely cow camp. After the shooting, Highsaw heads for the Chisum ranch with the news that a war is on the way. Author David King continues our tale with part two of* The Pecos War.

Not far behind Chisum cowboy Jim Highsaw was a group of some twenty Seven Rivers ranchers. When Highsaw's pursuers reached Chisum's headquarters, they found the fort-like structure manned by well-armed Jinglebob riders. The scene resulted in a stalemate, and no shots were fired.

Although the stand-off following Smith's death led to no further bloodshed, it was clear that tensions were coming to a head. According to one opposition source, Chisum received news of the shooting with satisfaction. Smith had been one of seven men he was determined to remove from his range. The remaining six of these men, dubbed the Seven Rivers Thieves, were Buck Powell, Lewis Paxton, Nath Underwood, Robert Beckwith, William Johnson, and Charlie Woltz. Whether or not Chisum intended to kill all these men, he certainly shed no tears at the departure of Dick Smith. If the Seven Rivers crowd needed any more indication that open warfare was on the horizon, they soon got it in the form of a warning from Lincoln County Sheriff William Brady.

Lewis Paxton, who was partner in a ranch with Milo Pierce just below Beckwith's, was in Lincoln when Brady informed him that Chisum was swiftly organizing an army to clean out the Seven Rivers area. Pierce hurriedly rode home to sound the alarm.

On April 10, two days after Brady's warning, Jimmy Dolan arrived in Seven Rivers from

CHISUM ATTEMPTED TO ENLIST THE AID OF BOTH SHERIFF BRADY AND THE OFFICERS AT FORT STANTON. HIS REQUESTS WERE DENIED.

BY DAVID KING | ILLUST

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AR: PART II

Lincoln to purchase cattle with which to supply the troops at Fort Stanton.

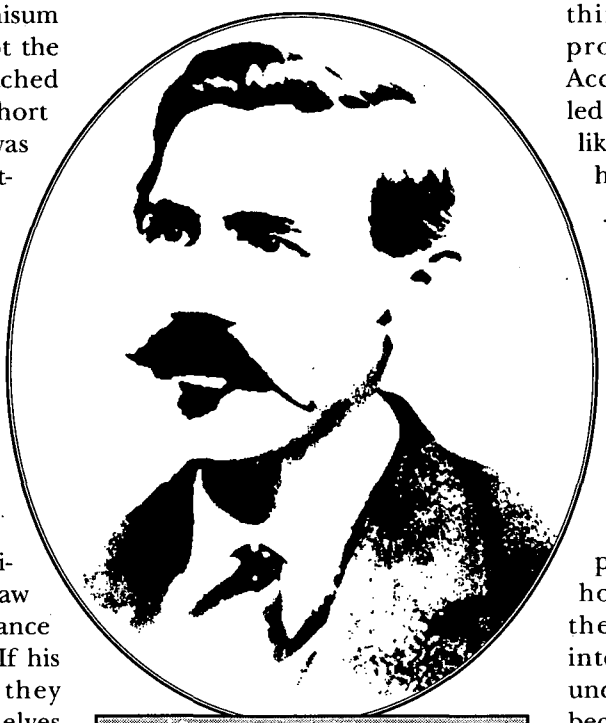
Meeting some friends, he continued with the group in the direction of the cow camp of Paxton, Pierce and Underwood.

En route, the party happened upon six Chisum-Wylie cowboys. Upon seeing each other, both groups took cover and opened fire. Probably outnumbered, the Chisum men soon decided this was not the right time and place for a pitched battle, and retreated after a short exchange of shots. No one was hurt, but the incident undoubtedly had a serious affect on future troubles in Lincoln County.

By this time, John Chisum was openly lending his support to the cause of John Tunstall and Alex McSween in their dispute with Dolan, most notably in their efforts to establish a bank in Lincoln. Dolan could see that his own problems were nearing the critical stage, and no doubt also saw the chance to ensure the assistance of the Seven Rivers ranchers. If his fight was against Chisum, they would be sure to align themselves with his cause. Thus would Jimmy Dolan add a dozen or more guns to the army he would field against Tunstall and McSween.

All was quiet for some ten days following this encounter. During the lull, Chisum attempted to enlist the aid of both Sheriff Brady and the officers at Fort Stanton. His requests were denied. The army was not eager to mix in civil affairs, and Brady curtly informed Chisum that the Pecos troubles were not his concern, since they occurred in Dona Ana County, rather than Lincoln County. This was quite true, but Chisum could hardly hope to obtain the help of the Dona Ana sheriff. One of that officer's deputies was a confirmed member of the opposing faction.

Andrew Boyle was a 38 year-old Scotchman who had served nearly ten years in the British army. In 1867, he and his three brothers had emigrated to America, where they settled first in Missouri, then Texas. By the time the Pecos War had erupted with the killing of Yopp, Boyle had made his way to the lower Pecos, where he obtained an appointment as deputy sheriff. By the middle of April 1877, this status had placed him at the head of the Seven Rivers faction in its fight against Chisum and Wylie.



JOHN S. CHISUM

In the days following Brady's warning and the bloodless clash, the men of Seven Rivers had congregated at the Beckwith ranch and prepared for defense against the attack they were sure was coming. It was not long before their fears were substantiated.

On April 20, a group of some thirty Chisum-Wylie riders approached the Beckwith house. According to Boyle, the party was led by John Chisum in person. More likely, Pitzer Chisum and Bob Wylie headed the band, since Uncle John was probably bedridden with smallpox. Boyle, however, was determined to place blame for the conflict squarely on the shoulders of his chief adversary.

The Chisum men collected the grazing horses of the besieged ranchers, and cut off the ditch that supplied water to the house. They then took up positions about a mile from the house and prepared to wait out their opponents. The ultimate intention of the Chisum group is unclear. At this point, their actions became somewhat indecisive, probably an indication of the lack of John Chisum's presence. Most likely, their hope was that a siege would result in the surrender of the remaining six figures Chisum wanted most. Undoubtedly, had Powell and the others given themselves up, they would have been shot without ceremony. They determined to make a stand.

When nightfall came without further incident, the Boyle-led defenders decided to send to Mesilla, the

ATIONS BY GARY ZABOLY

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county seat, for help. Sneaking past the Chisum warriors, Buck Powell and Charlie Woltz rode west on horses that had not been let out to graze. Their plan was to swear out warrants against the key members of the Chisum party and return with a sheriff's posse to raise the siege.

The next day passed quietly. A Seven Rivers couple named Gray, neutral to the conflict, were sent by the Chisum-Wylie leaders to offer safe passage to the women and children in the house. Mrs. Stafford, the mother of Bob and Wallace Olinger, the Beckwith boys' sister Helen, and the younger Beckwith siblings all refused to leave the house, understandably feeling safer with their own people. This offer of passage was indicative of the growing impatience of the Chisum party. If the Seven Rivers Thieves would not come out, they would have to go in and get them. The following morning they made a half-hearted attempt to do so.

Advancing slowly and opening fire from a distance of several hundred yards, the Chisum fighters stalled when their attack was met with determined fire from the house. Boyle said the cowboys refused to advance farther, having lost courage and feeling they were underpaid for such dangerous work. Probably, however, no full-fledged assault was planned. To make such an attack against well-armed men, forted up as they were, would have been suicide. More likely, the hope of the Chisum

ADVANCING SLOWLY AND OPENING FIRE FROM A DISTANCE OF SEVERAL HUNDRED YARDS, THE CHISUM FIGHTERS STALLED WHEN THEIR ATTACK WAS MET WITH DETERMINED FIRE FROM THE HOUSE.

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faction was that a show of deadly intentions would dishearten the enemy, and result in the forced surrender of the five or six men they wanted most.

Whatever the intention, the result was anti-climactic. A man was sent to the house under a flag of truce requesting that William Johnson come out to talk matters over. Despite strained relations with his father-in-law, Hugh Beckwith, Johnson was not as pliant as had been hoped. He declined the invitation, saying he could speak for no one but himself. Some of the besieged men had payment due from Chisum and Wylie for service as cowboys, and this payment must precede any talk of a truce.

At this, the Chisum force withdrew, returning to the spring roundup they had been neglecting. The siege of the Beckwith ranch had failed. Fifteen days later, Powell and Woltz returned from their long journey to Mesilla. They brought no posse, but did have warrants for the arrest of John Chisum, Bob Wylie and Jim Highsaw. Boyle organized his own posse of fourteen men and proceeded to the Chisum-Wylie camp. There they found only the bedridden Chisum, cowboy Charlie Moore and, probably, the devoted Negro horse wrangler Frank "Chisum." At word of the posse's approach, the rest of the outfit had gone to South Spring in anticipation of a counter-attack.

Turning northward, Boyle's band reached the Chisum headquarters on May 10, probably expecting stout resistance. Now it was the Jinglebob warriors who were forted up, and if they chose to make a stand they could decimate the deputy's posse before it reached the house. Boyle undoubtedly spent several anxious moments looking over the situation. But he was spared the responsibility of making such a crucial decision. Wylie and the Jinglebob riders had had enough. With Uncle John down with the pox, they were without a strong leader. Charlie Moore, who had made a hard ride to reach South Spring ahead of the posse, carried a note out from Wylie declaring that the men in the house did not wish to fight. An assault on the place, Wylie said, could result in the deaths of persons not involved in the dispute.

Boyle sent word back that he did not want to kill anyone, but that he had warrants for Wylie and Highsaw, and was determined to serve them. Wylie soon emerged from the house and engaged in a parley, during which he agreed to pay what he owed to Buck Powell and Robert Beckwith. He said Highsaw would surrender if Boyle went to the house with only one man. Agreeing, the deputy went to the house only to find his quarry had disappeared out the back.

ROBERT BECKWITH

Apparently unconcerned with Highsaw's escape, Boyle accompanied Wylie and the posse members who had claims against Chisum back down to the cow camp. Chisum signed checks for the men and was placed under bond by Boyle. And so, in anticlimax, ended the Pecos War of 1877. Tempers cooled for the moment, but the lack of a decisive outcome left glowing embers of enmity ready to burst into flame at the first provocation. No apparent action was taken on any of the several indictments which resulted.

Many of the participants would play active roles in the coming Lincoln County War, but not, significantly, the Chisum warriors. Bob Wylie soon returned to Texas, relocating his New Mexico herd at Horsehead Crossing. He continued ranching in Texas, and died July 11, 1910 after falling from a train near Trinidad, Colorado. He left an estate worth a quarter million dollars. Jim Highsaw also went back to Texas, where he would have further encounters with the law. He reportedly spent his later years in Merkel, Texas, as a saloon operator. Chisum recovered from his bout with smallpox, and continued to support the Tunstall-McSween faction, though not as actively as they would have liked. Jinglebob cowboys would not ride under the Tunstall banner. Conversely, some two-thirds of the sub-posse which would later pursue and kill John Tunstall was made up of Seven Rivers men who had opposed Chisum and Wylie.

During the spring of 1877, Tunstall had too many worries of his own to concern himself with John Chisum's fight on the Pecos. Had he fully realized its far-reaching ramifications, he might have stepped more carefully in his efforts to wrest the mantle of power from Jimmy Dolan. The hatreds engendered by the Pecos conflict, and more importantly the effect of Dolan's influence over the Seven Rivers stockmen, guaranteed a significant addition to Dolan's army. At the same time, it denied Tunstall the active support he later sought from Chisum. Various factors can be listed as contributing to the defeat of Tunstall and McSween. John Chisum's less than successful attempt to rid his range of the Seven Rivers Thieves must be given a high place on any such list.

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HENRY COMSTOCK AND HIS BROTHER JAMES DECIDED TO LEAVE THE QUIET WISCONSIN COUNTRYSIDE TO BECOME COWBOYS ON THE WESTERN PLAINS, WHERE THEY "THOUGHT LIFE IN A SADDLE WOULD BE LIKE LIFE IN A ROCKING CHAIR IN THE SHADE OF GREAT LIVE OAK TREES."

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Henry Griswold Comstock, a Wisconsin native who left home as a young man to become a cowboy in Texas, was eighty-four years old in 1935 when he wrote an account of his experiences on the cattle range for his family. Entitled *Some of My Experiences and Observations on the Southwestern Plains During the Summers of 1871 and 1872,* Comstock's memoirs remained within the family, read only by relatives, for some twenty years. Then two family members, traveling in Texas, visited Watt Matthews, patriarch of the cattle country in which Comstock had cowboyed, and gave him a copy of the Comstock manuscript. The copy is preserved today in the archives of the Old Jail Art Center in Albany, Texas.

For Old West enthusiasts Comstock's remembrances add another interesting first-hand account of life on the early cattle trails, but, more importantly, they provide new information about one of the most mysterious figures of the frontier, John Larn, of Shackelford County, Texas.

The West produced no more enigmatic figure than the man known in the 1870s in the Fort Griffin country of Texas as John Larn. A real Jekyll and Hyde character, Larn was admired by many of the best citizens of the area for his good address and courtly Southern manners. He did not drink, smoke, or curse, but with cold-blooded arrogance and implacable efficiency rose in a few years to a position of leadership and prominence among the cattlemen of one of the toughest frontiers of Texas. Born in Alabama in 1849, Larn came to Texas by way of Colorado and New Mexico, where he reportedly killed at least two men in gunfights before reaching the age of twenty-one. Within months his outstanding leadership abilities so impressed Shackelford County stockmen that he was made foreman. He was still only twenty-two when in the fall of 1871 he was put in charge of a cattle herd bound for Colorado.

Taking part in that drive was Henry Comstock, the young Wisconsin farm boy turned Texas cowboy who sixty-four years later wrote his account. Comstock was born and raised on a farm near Milwaukee, Wisconsin. His mother died when he was ten and when his father died in early 1871, twenty-year-old Henry and his brother James, eighteen, decided to leave the quiet Wisconsin countryside to become cowboys on the Western plains, where they "thought life in a saddle would be like life in a rocking chair in the shade of great live oak trees." In May the Comstock brothers went by steamboat down the Ohio and Mississippi rivers to Louisiana, then up the Red River to Shreveport where they boarded a train for Marshall, Texas. There they bought ponies and saddles and headed for Fort Worth, two hundred miles to the west.

At Fort Worth they met a hiring agent for a Shackelford County stockman named Bill Hayes who was looking for drovers to take a herd to Colorado. Hayes would pay forty dollars a month with a promise of a forty dollar bonus at the end of the drive. The Comstock boys, aspiring cowboys, jumped at the chance. They rode on to Fort Griffin, a rough town in Shackelford County where Hayes was headquartered. There they began rounding up cattle and breaking broncos for the drive. Soon, however, young James became ill, ran a high fever and almost died. When he was back on his feet he was too weak for the arduous cowboy work and took a job as a clerk in a Fort Griffin store.

Henry Comstock continued to work the roundup until mid-September, when Hayes and his foreman, John Larn, tallied and recorded the herd. Comstock did not see the results of that tally, but it was his estimation that the herd that left in September, bound for Colorado, numbered no more than four hundred head.

The drive would follow the trail blazed six years before by pioneer Texas cattlemen Charles Goodnight and Oliver Loving. Roughly tracing the route of the old Butterfield Overland Mail, the trail led west from Fort Griffin, past Fort Phantom Hill, then southerly near present-day Abilene, Buffalo Gap, and Fort Chadbourne. It crossed the North Concho and the divide to the Middle Concho and followed its course westward to Centralia Draw where the ruts of the old Butterfield stages were still visible. On westward across dusty Edwards Plateau, the southern extremity of the Llano Estacado, the Staked Plains, the trail would lead. At the western edge of this arid expanse loomed the Castle Mountains, through which the trail passed by way of mile-long Castle Gap. A few miles beyond was Horsehead Crossing, the famous ford of the Pecos, named, so legend had it, for the skulls of horses who drank themselves to death after the long dry journey across the plains. From this point the trail led northward along the valley of the Pecos through New Mexico and on into Colorado.

During that long and arduous drive, young Henry Comstock came to know his fellow trail hands well. Although most, like their leader, John Larn, were barely out of their teens and whiskers were sparse on their young faces, Comstock found them a strangely heterogeneous group. There were eleven in addi-

By R.K. DeArment

Illustrations by Kim Mackey

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tion to himself: Foreman John Larn, Bill Bush, Frank Freeman, Bill Hill, Billie Wilson, Charlie Wilson, Jim Wilson, Albert Shappell, Font L. Twombly, Tom Atwell, and the cook, John Pettigrew.

The three Wilson boys came from different parts of the country and were unrelated. Twombly, described by Comstock as having "the looks of refinement, rather delicate in appearance and very quiet and reserved in manner," was from a well respected Michigan family. His brother, he said, was a Detroit banker. Freeman was the oldest and the only one with a beard. He and Bill Hill were tight-lipped about their backgrounds and Comstock suspected that both had criminal records somewhere. Their violent and illegal actions later on the trail tended to reinforce his suspicions.

The young man going by the name Bill Bush, however, made no secret of a shady past and ambitions as a bad man. He told Comstock that his real name was Delbert C. Clement and that after his father was ambushed and murdered he had left a twin sister, a brother, and a widowed mother in Sherman, Texas, and run away from home with the avowed purpose of becoming a desperado. He had killed one man to avenge his father's death, he said, showing Comstock a notch on his pistol butt, the first of many he hoped to put there. Bush said he expected to die with his boots on and didn't care how soon.

Trail boss Larn would tell nothing of his origins or if he was even traveling under his proper name. He did, however, boast of having killed a sheriff the previous autumn in New Mexico. "I heard Laren [sic] describe the event," said Comstock. 'He said that he was standing at the door of a hurdy gurdy house...when the sheriff punched the muzzle of a cocked six-shooter against his breast.

"Your name is Laren, I believe," said the sheriff. "You are my prisoner"

Larn said that he then pulled an old trick. He "stretched his neck as if looking at something going on back of the sheriff and [when] the sheriff turned his glance just for an instant..., Laren drew and killed the sheriff in that instant...."

"I believe," Larn told the spellbound young cowhands, "that if a man was to shoot me through the heart, I would kill that man before I died."

Most of what he learned of his cowboy companions Comstock picked up in talks around the campfires and from observation of behavior during the long trail drive. His first clue to the devious and felonious nature of John Larn came shortly after beginning the drive.

"WE LEFT FORT GRIFFIN in Shackelford county and headed for Fort Concho where all droves leaving the state from the southwest were supposed to be inspected by a state official," said Comstock. Larn took the herd west of the trail, saying that he was searching for better grass, but then announced that they were lost. When they struck the trail again far to the west of Fort Concho he said that they weren't about to go back just to have the herd inspected. It was evident even to the inexperienced young farm boy, Henry Comstock, that Larn had deliberately maneuvered the herd to avoid the inspection procedure. "All very innocent," Comstock remarked sarcastically.

From the beginning it was plain that Bill Bush, the self-proclaimed desperado, was John Larn's most trusted assistant, his right hand bower. The two always rode together at the point of the herd. Freeman and Hill generally were assigned to the flanks, and the greenhorns, including Comstock, took turns riding drag at the rear.

There the dust raised by the herd was hot and choking, especially as they moved across the dreaded Staked Plains. "We were lucky," said Comstock, "as we found water in some water holes along the way, but the alkaly [sic] dust was very bad, and I don't want to be as thirsty ever again as I was on some of those days."

Finally they reached Castle Gap and passed through a V-shaped chasm "just wide enough at the bottom for the supply wagon to bump along...; it was the roughest wagon road I ever saw, and strewn with the skeletons of animals that had perished there." Several miles beyond they came on the welcome waters of the Pecos, where Larn called a one-day rest for men and animals. It was there, at Horsehead Crossing, that Comstock first witnessed John Larn's propensity for murder.

Two young, well-dressed Mexicans coming down river on the opposite side called across in Spanish, but, said Comstock, "they could not understand us, nor we them, so they rode on down stream. They were barely out of hearing when Laren said, 'I believe we ought not let those fellows get away,' and he was backed promptly by Bush and Freeman and Hill, and some others, and soon they were saddling their best horses and fording the river....

"When [the Mexicans] saw they were followed by horsemen on the run they turned and came back and...began talking very fast and excitedly....The pursuers were merciless and without words began shooting. One Mexican fell dead with the first volley. The other one ran to the river bank which was fifteen or more feet high and perpendicular and dove in and swam under water like a muskrat with the heartless American murderers shooting at him until he sank from sight.

"We at the crossing did not see this, but we heard the shooting and the murderers told us the story when they returned a few minutes later with the Mexicans' two horses, saddles and bridles. They dragged the one that died on land to the bluff and pushed it over into the river. They called it 'feeding the catfish.'"

The next morning the herders resumed the drive, moving the herd north on the east side of the Pecos. That afternoon they saw a cloud of dust to their rear and Larn sent Freeman back to investigate. Freeman returned that evening to report that they were being followed

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"...the sheriff turned his glance just for an instant..., Laren drew and killed the sheriff in that instant..."

by a detail of twelve black United States cavalrymen, well mounted on grain-fed horses and armed with repeating Spencer carbines. They were led by a corporal who told Freeman they were from Fort Concho and were looking for stolen horses.

When it became apparent the next morning that the troops were still following, Larn rode around the herd and spoke to each of the drovers. The cavalry would not have come this far in search of missing horses, he said. They had been sent to bring them all back to Fort Concho for inspection. He asked each of the cowboys if he wanted to drive that herd back across the Staked Plains. Of course none of them did. "The rest of us don't either and we ain't going back," the boss said grimly. When the hands gathered at the chuck wagon for the noon meal Larn gave instructions:

"See to it that your shooting irons are in good working order and saddle your best horse. [The cavalrymen] have made noon camp down by the river in that clump of chaparral. We may surprise them, we may catch them off their guard, but we will find out if they want us or not. You fellows watch me, let me do the talking, and if I begin shooting, you all shoot too, and if they get the best of us and get me, you who escape make [it] back to Castle Gap and don't let any of them get through the Gap alive. If they get you and don't get me that is what I will do for you, and don't lose your nerve."

When Larn and his cowboys confronted the soldiers, the corporal in charge "saw which side his bread was buttered on," as Comstock put it. He denied that he wanted to return the herd to Fort Concho, and "asked for some fresh meat, which Larn gave them gladly, and we all rode back to the cattle in different spirits I assure you from what had prevailed the hours previous. We heard months later that they reported at Concho that they came out best in a scrape with us, but they could not get the cattle back up through the gap, and had to let them scatter. There has never been any doubt in my mind but that they were bluffed...."

Days passed into weeks as the herd moved slowly up the lonely valley of the Pecos. Once they encountered "a grizzly, [grizzled] old lone horseman seventy or eighty years of age," by Comstock's guess. "He and the two Mexicans and the cavalry squad were the only human creatures that we had seen [in] about four hundred miles." They were now well into fall and nights held a real chill in the air. As they moved farther into northern New Mexico they met an occasional trader. From one of them the young cowboys obtained a bottle of red-eye liquor, and the acquisition led to the sudden death of one of their number.

The whole outfit seemed to have taken on the character of its leadership as the violence smoldering just beneath the surface, ready to explode into murderous fury on the slightest pretext, of John Larn, the trail boss, and Bill Bush, his lieutenant, permeated the crew.

About dark on a quiet evening in late October, Comstock was riding guard on the herd when suddenly he "saw a flash and heard the report of a six shooter at camp and heard a

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man screaming with pain, then another shot and the screaming stopped." The outriders raced into camp to learn that Bill Bush had killed Billie Wilson. The whiskey had "loosened [Billie's] tongue and caused indiscretion," as Comstock put it. When Wilson made an offhand comment "that he was good in a tussle or a fight, Bush... seemed to think the remark [was] directed at him and replied that he didn't brag about himself in a fight, adding, 'When I fight I fight from the belt.'"

"Star Weno! [Esta bueno!]" Wilson exclaimed, drawing a knife and raising it threateningly. "Bush's first shot probably pierced Wilson's lungs," said Comstock, "and must have been very painful, and the second shot was the shot of mercy.... Laren and Bush, I guess, did not sleep at all that night and at daylight there was a little mound of freshly dug earth four inches high, two feet wide and six feet long, and poor Wilson was no doubt covered less than a foot from the surface, and the herd moved on."

The next day there was almost another killing. Billy Hill took a shot at Albert Shappell for no apparent reason other than Hill and Wilson were both from Ohio and Shappell made a casual remark about the dead man which Hill considered derogatory and to which he took objection. Tension in camp thickened.

Soon Larn and Bush "perpetrated another dastardly murder, as Comstock put it. It was late in October and they were about eighty miles east of Las Vegas, New Mexico, when Larn and Bush, riding point as was their custom, came upon a young Mexican shepherd and his flock. Trailing far back at the rear of the cattle herd, Comstock did not personally witness what then transpired, but he heard the gunshots and listened to Bill Bush brag about it that night at the camp.

Larn and Bush began chasing the shepherd who "nearly escaped as he was better mounted than they were and was gaining on them when one of their shots broke a leg of his horse, and left him helpless at their mercy, which they did not have." They killed the Mexican and his injured horse and left the bodies of both for the wolves and buzzards. "What Laren and Bush killed that Mexican for I can't imagine," Comstock said, as they "made no effort to do anything with the sheep."

Shortly after this incident Bill Hayes met them on the trail. At the end of the cattle running season in Texas, Hayes had gone by stages to Trinidad, Colorado, where he purchased another wagon, a stock of supplies, and ten or fifteen fresh ponies which he brought south to meet Larn.

He and his trail boss then counted the herd. "This we did," Comstock remembered, "on a wide expanse of smooth prairie, on the trail, by letting them string out, and pass between Hayes and Laren, who counted them." The tally was 1,700 head, and Comstock doubted if Hayes had any just claim to more than 400. The rest Larn had added to his herd from bunches of grazing cattle along the way. "I think Hayes was quite pleased with the result of that count," said Comstock, "and that he knew...how much of it was due to Laren's nerve and management."

About the middle of November the drovers reached the Raton Mountains rising abruptly from the prairie, crossed the divide into Colorado, and made camp on a flat plateau of about ten acres. A herd of thirteen hundred head owned by Silas Hough and driven by thirteen drovers caught up to them here and set up camp across the canyon. That night a blizzard struck. The cattle scattered and the cowboys from both camps took to the canyons and built huge fires to keep from freezing. In the morning all three thousand head of cattle and one hundred horses of the two outfits were gone from the plateaus. The cowboys waded through deep drifts to recover their mounts, but the cattle were scattered over a large section of that rough country. After several more days of snow, the owners of the herds decided to winter right there. They arranged to put up their hands in some cabins known as the Taylor Brothers Ranch.

It had been a difficult few days in the snowstorm for the Texas cowboys, but, said Comstock, "[when] we went into winter quarters... our discomforts were ended.... We slept all night in the cabins, ate two good meals every day, and simply rode our horses usually on a walk along the ridges [of] the outer limits of the range, turning the cattle in toward a common center."

Most of Larn's men welcomed this respite from the hard work of the trail, but "riding the range soon became too monotonous for Bush," and he went into Trinidad, the nearest town, and, at gunpoint, stole from Barney O. Hill's livery stable "a very fine chestnut sorrel Kentucky racer." Bush rode the stolen horse back to the Taylor Ranch and was followed by "the sheriff with a double barreled shotgun and a German deputy marksman with an old fashioned muzzle loading globe sights target rifle....Bush took to the high lands" with the officers in pursuit. He "would sometimes ride slowly until the deputy would dismount for a good shot with his target rifle when Bush would fire a shot back at them and then speed up out of

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range. He had one advantage because they didn't want to run any risk of hitting his horse, while he didn't care what he hit."

When the sheriff and his deputy gave up and returned to Trinidad, Bush came down out of the hills. He had Twombly write a letter to Barney Hill. "I have always loved a good horse," he said. "I have had a good ride on a good horse and I am satisfied." He said he was returning the sorrel, but warned the liveryman not to follow him. The next day Bush and several others rode into Trinidad with the horse and the letter. "Nothing ever done about it," said Comstock.

In January 1872, "Hayes, who had been unable to sell any cattle at a satisfactory price, borrowed six hundred dollars for 30 days at 6% per month," and paid off Comstock and some of the other cowboys. Comstock headed back for his Wisconsin home, taking a stagecoach to Colorado Springs, where he boarded the cars of the narrow gauge Denver & Rio Grande Railroad which took him to Cheyenne, Wyoming. There he caught an east-bound train of the recently completed Union Pacific line.

A month after he got home he received a letter from Font Twombly, reporting that the violence plaguing the Larn cattle drive had not abated. Tom Atwell had killed a Mexican at a dance hall. He was arrested, but escaped and made it back to camp. Lawmen followed, but Larn organized an armed defense and Atwell "was so powerfully protected that the posse failed to get him."

Henry Comstock, having had his fill of the arduous cowboy life and many of the murderous men who pursued it, never returned to work on the Texas plains, but his brother James stayed on in the Fort Griffin country, and it was through James that Henry learned the subsequent bloody history of the principal figures of that 1871 cattle drive.

John Larn, Bill Bush and Tom Atwell took the trail back to Texas and Bill Hayes followed some time later. Within a year Larn and Hayes were engaged in a bitter feud over the ownership of cattle ranging in Shackelford County, and Bill Bush threw his support to Hayes. Late in 1873 Hayes and Bush rounded up a small herd and started for Indian Territory to sell the cattle to the reservation agents at Fort Sill. Drovers riding with them included Hays' brother John, George Snow, "Nosey" Wilson, John Webb, and two brothers named Jeames.

Larn learned of the drive and swore out a warrant charging the Hayes crowd with rustling. With Acting Sheriff Riley Carter he formed a posse and convinced the military authorities at Fort Griffin that a squad of cavalry should accompany them. The posse under Larn and Carter and a squad of black troopers led by Lieutenant E.P. Turner caught up with the Hayes party one afternoon at Bush Knob Creek in Throckmorton County. What happened then has become notorious in the Fort Griffin country as the Bush Knob Massacre. According to Lieutenant Turner's official report, when members of the Hayes outfit opened fire on their pursuers, gunshots were exchanged and two of the drovers were killed outright. The rest were taken into custody, but two immediately tried to escape and were gunned down. The posse and cavalrymen started back for Griffin with four others, but in camp that night all four attempted escape and were killed.

Many folks in Shackelford County

After several more days of snow, the owners of the herds decided to winter right there. They arranged to put up their hands in some cabins known as the Taylor Brothers Ranch.

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were convinced, however, that John Larn simply wiped out his enemies, Bill Hayes and Bill Bush, and murdered the rest so there would be no one to testify against him. "I would say that Laren killed Bush first and Hayes next..., Bush, known by Laren as the dangerous one, and Hayes because he was in Laren's way." wrote Henry Comstock. "There is no doubt in my mind but that Laren killed the four prisoners because I heard Laren say many times that dead men tell no tales." Comstock said the four men killed in camp had been sleeping, cowboy fashion, with their saddles as pillows, when Larn shot them through the head and that he then burned the saddles to destroy the evidence.

Of course, all of this is hearsay, obtained second or third-hand by Comstock from his brother James, but it is a fact that no one was left to testify against Larn and no one was ever charged in the Bush Knob Massacre.

John Larn went on to become sheriff of Shackelford County in 1876, a position he held about a year before resigning to pursue his ranching career, a career marked by mounting charges of cattle theft and murder. He was finally arrested in June 1878, and placed in the jail at Albany, seat of Shackelford County. In the early hours of June 24 a large crowd of determined men stormed the jail, overpowered the guards, and riddled John Larn with bullets.

When he died in that hail of lead, Larn had not yet reached his thirtieth birthday. He had packed into only a few years a record for homicidal depravity as nefarious as any in the West. Perhaps it was fitting that he died as brutally as he lived.

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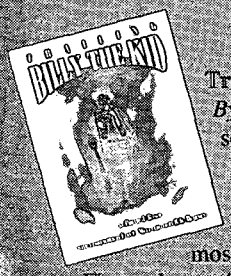

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ROUGHING IT FO

If you'd been a ten-year-old living in the Territory of Wyoming during the 1870s, you might have gone to school above a saloon, or in an abandoned chicken shed, or even in a sheep wagon. Your teacher would probably have been a woman, well-educated for the time, who had recently come from the East.

On the other hand, if you'd lived in the town of Cokeville, your teacher might have been Ike McVay, a man also known as a quack doctor and horse thief.

Men outnumbered women in the population by six to one, yet most teachers were female. One reason was that female teachers were paid less than males, even though the equal rights legislation of 1869 had promised equal pay for women. Also, highly qualified eastern women teachers, eager to exercise their rights as citizens, were attracted to the state by the promises made in the legislation.

Although endowments from oil lands provided financial security for Wyoming's schools, it took more than oil money to build a quality system. It took foresight, determination and courage, and the pioneers who struggled through the early years possessed all three.

The Reverend William Vaux, post chaplain at Fort Laramie, Wyoming, established the first school on record, in 1852. Ten years later a "school" was conducted at Fort Bridger for the family of the post sutler, Judge William A. Carter.

When the Union Pacific Railroad came to Wyoming in 1867, it spurred the growth of towns, and on January 5, 1868, citizens of Cheyenne gathered in twenty-three degree below zero weather to dedicate their first school building.

The 1870 census listed four public schools with four teachers, and five day and boarding schools with a total of eleven teachers. Private schools tried to fill the gap, but few survived the financial difficulties and shifting populations.

The Protestant Episcopal church established a school on the Wind River Reservation that same year, bringing education to the Shoshone Indians. Other mission schools followed.

Wyoming's pioneers seized every opportunity to educate their children. In the town of Shell Creek, an abandoned stable became a school, with an old pair of rubber boots split open and tacked on the wall for a blackboard. In Evanston, students climbed wooden steps to attend classes above a saloon.

One mother in the Jackson Hole area found a room where eleven children could live together while attending school. Three mothers took turns cooking, cleaning, washing and mending clothes, and caring for the children.

Schoolteachers who had married ranchers conducted classes in their homes, and sometimes these schools moved from one ranch to another several times within a year.

Other schools included a log building with a dirt roof, the upper room of a railroad section house, the vacant office of a mining company, the basement of a town hall, and even a blacksmith's shop. And then, of course, there were the aforementioned abandoned chicken shed and the sheep wagon!

Private schools continued to appear on the scene, as well, and

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R THE THREE R'S

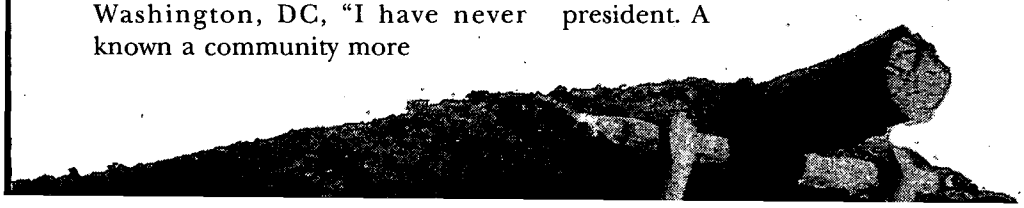
by Shirley W. Belleranti

in 1875, a Miss Ellis opened a school for twenty-five students in Cheyenne. A year later Miss Annie B. DeLany announced she was opening a "select day school" in Cheyenne for girls six to twelve. She also announced a "class for little girls in sewing, embroidery, miniature dress making, and general deportment." In addition, she promised future lessons in French and music.

The territory's first high school opened in Cheyenne in 1875. Three years later Territorial Governor John W. Hoyt reported to the commissioner of education in Washington, DC, "I have never known a community more zealously devoted to popular education than the people of this new Territory."

Soon parents began to look for schooling for younger children, as well. A Miss Doloph opened a private kindergarten in Cheyenne during the early 1880s. In 1886, Mrs. F. D. M. Bratten started the Magic City Kindergarten, also in Cheyenne. Other private kindergartens sprang up, and in 1895 public kindergartens were authorized.

Eight years earlier, the University of Wyoming had opened in Laramie with former Governor Hoyt as its president. A widely traveled, cultured man, he guided the university well.



In 1894, four years after Wyoming became a state, voters elected Estelle Reel as state superintendent of public instruction, becoming the first woman in America to be elected to a state office.

Wyoming has consistently maintained a high rate of literacy, and the state's public school expenditure per pupil is among the highest in the nation, despite the fact that only Alaska has fewer residents.

The pioneers who begged and borrowed everything from abandoned chicken sheds to discarded sheep wagons to educate their children would surely be pleased.

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The World's Oldest Profession in Tucson, Arizona

By Betty Leavengood

Arizona State Historical Society

This Tucson prostitute, Bettie, was typical of the girls that kept the red lights burning on Gay Street.

George Hand, co-owner of the Hand and Foster Saloon in Tucson, Arizona Territory, had, as he recorded in his diary, a "fine day," on Sunday, May 23, 1875. Hand ate dinner at the Hotel de Neugass, went to a dance, and paid a visit to Maiden Lane, Tucson's red-light district. A careful record keeper, Hand noted, "Cruz -$4.00."

"Cruz" practiced her profession, the world's oldest, on Maiden Lane, a main street of the dusty town of about 3,500 mostly single men.

Tucson residents of that era accepted prostitution as an integral part of frontier life. That attitude changed as more family men moved to Tucson. L.C. Hughes came to Tucson from Pennsylvania for his health in 1872. His wife, Josephine, joined him the following year. Both took aim at what they considered Tucson's three deadly sins, gambling, saloons that were open twenty-four hours a day, and prostitution; she through her Women's Christian Temperance League and he on the pages of the *Arizona Daily Star* which he

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founded in 1877. As more easterners arrived, attempts to "civilize" Tucson increased.

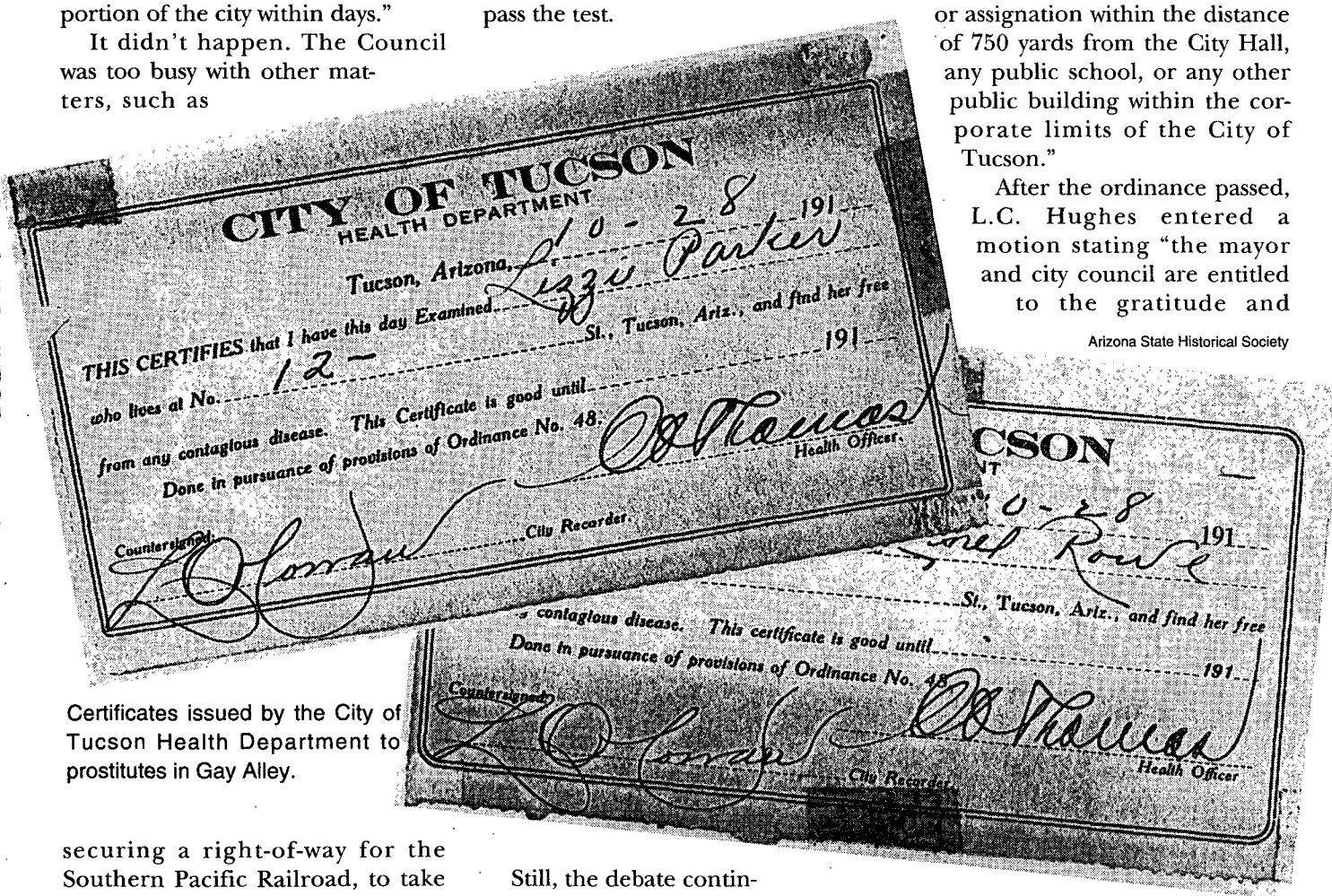
The first mention of prostitution in the Tucson city council minutes came during the July 8, 1879, meeting.

"Communication received from residents of Meyer's Street relative to the loud and riotous conduct of the occupants of the premises of the North East corner of Meyer Street and Maiden Lane. On motion ordered that the Marshal be instructed to notify occupants of said premises and of all houses of ill fame to remove from the central portion of the city within days."

It didn't happen. The Council was too busy with other matters, such as securing a right-of-way for the Southern Pacific Railroad, to take prostitution seriously.

The Tucson city council didn't begin serious regulation of prostitution until four years later, with the adoption of Ordinance Number 48, which read, "That in order to prevent the spread of contagious or infectious diseases within the City, and to control Houses of Ill Fame, it shall be the duty of the Health Officer or his deputy to visit monthly all such houses, between the first and tenth day of each month and examine each female inmate therein for the purpose of ascertaining whether she may be affected with any such disease, and if found free from such disease, the above named Officer shall supply the person examined with a certificate, which certificate shall give the name and residence of the person examined, and also state the fact of her healthful condition."

For his services, the examiner received five dollars. Half of the fee went to a Hospital Fund to pay for the care of women who failed to pass the test.



Certificates issued by the City of Tucson Health Department to prostitutes in Gay Alley.

Arizona State Historical Society

Still, the debate continued. In the summer of 1889, the city council discussed "the removal of the denizens of Maiden Lane." Mayor Fred Maish favored leaving them alone "so long as they behaved themselves and did not make a public exhibition of themselves." The respectable ladies of Tucson did not agree with Mayor Maish. On November 2, 1891, a large delegation of women attended the meeting of the Tucson city council. Their mission was to remove the denizens from Maiden Lane. After presenting their petition that no house of ill fame be allowed within 750 yards of City Hall (thus guaranteeing their removal), the debate intensified. After earnest pleas from several businessmen and the principal of the Indian School, Ordinance 72 was unanimously adopted.

"It shall be unlawful for any person or persons to keep or willfully reside in any room, shed, arbor, tent or house of ill repute, resorted to for the purpose of prostitution or assignation within the distance of 750 yards from the City Hall, any public school, or any other public building within the corporate limits of the City of Tucson."

After the ordinance passed, L.C. Hughes entered a motion stating "the mayor and city council are entitled to the gratitude and heartfelt thanks of every citizen of Tucson for their commendable action on the behalf of good and pure city government." The next day his news paper headlined, "The Mayor and City Council Cover Themselves With Honor."

The denizens, nymphs de pave, courtesans, lewd women, sirens, or plainly put, prostitutes, moved to

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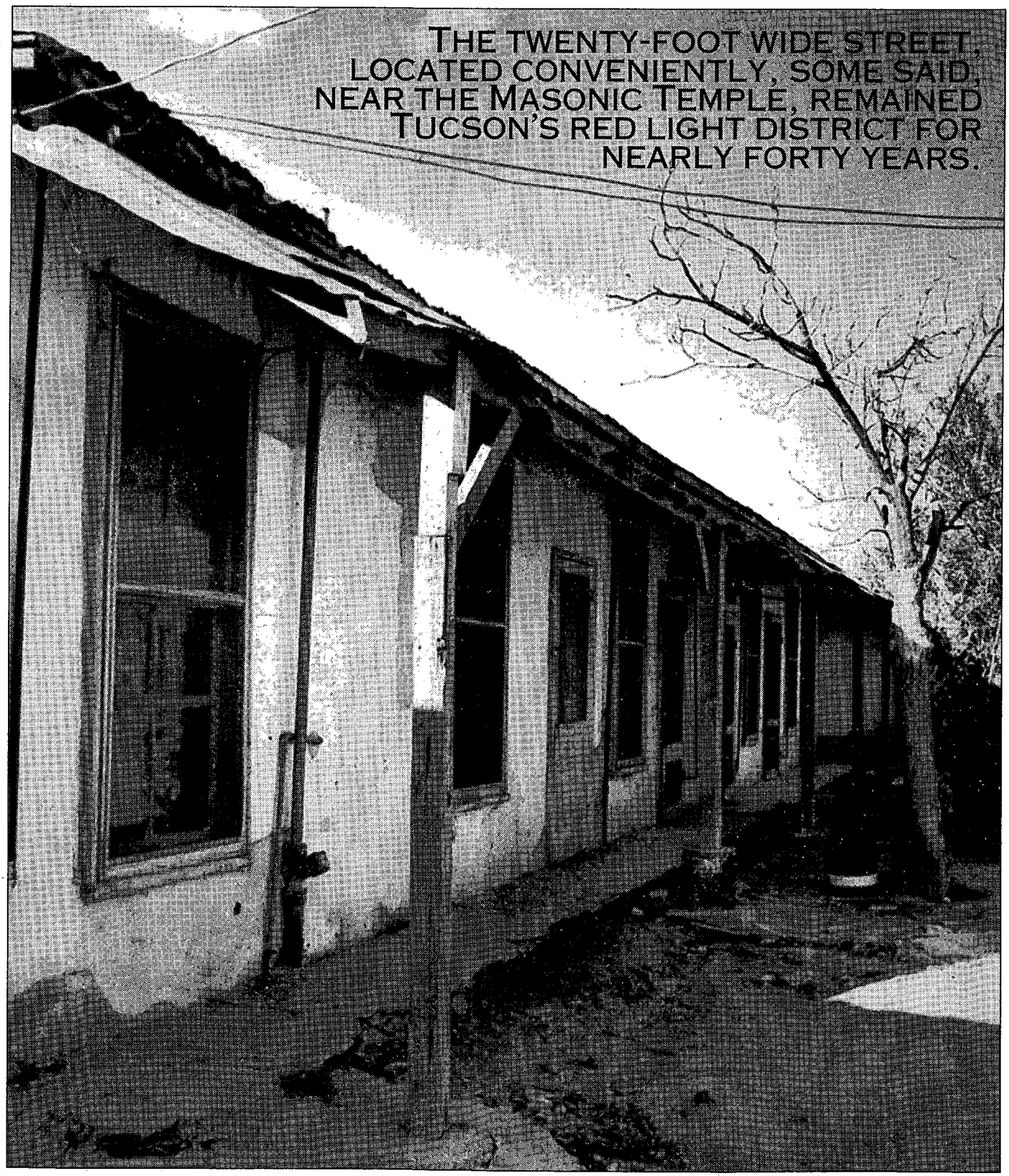
Gay Alley, named for "Captain" Mervin G. Gay. The twenty-foot wide street, located conveniently, some said, near the Masonic Temple, remained Tucson's red light district for nearly forty years.

Both sides of the street had small rooms, called cribs, each containing a double bed, a table, and a chair. Girls sat by the door or in the windows, heavily made-up and gaudily dressed. Some lounged in chairs with their feet propped up, revealing seductive lingerie. As a man entered the Alley, they would say,



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Sabino Street (Gay Alley) as it appeared in 1955.

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"Come in, come in, I will give you a great time."

Given such a scenario, it didn't take long for complaints to begin anew. At the August 7, 1893, council meeting, businessmen Fred Hughes and H. Buehman complained that Gay Alley was "noisy, disorderly, and disgraceful" and they wanted it moved elsewhere. One councilman suggested that the police were negligent or such disturbances would not occur. This discussion spawned Ordinance Number 81, which addressed the matter of policemen not arresting known prostitutes for disorderly conduct. For the first offense, the officer would be fined twenty dollars, for the second offense, he would be dismissed from the police force.

The police often found themselves in peculiar situations in dealing with prostitution. The *Star* reported such an incident on September 3, 1896, under the headline, "Found His Daughter But He Would Rather Have Found Her Dead." It seems that a man, to remain anonymous, came to Tucson in search of his wandering daughter. He had heard that she had taken residence in one of the houses that guard the entrance to Gay Alley, but would not believe it until he had seen it with his own eyes. On arriving in Tucson he was escorted to the house by an officer.

As the newspaper reported, "His daughter entered and there was a dramatic scene. She was clad in the cheap but showy garb of those women. When she saw her father ...she ran toward him, threw her arms around his neck and cried, 'Oh, my father.' For a moment he held her in his arms, the tears streaming down his cheek and moaned, 'Oh, my God, can I call you my daughter?' The painted courtesans left the room, their paint streaked by rivulets of tears. Even the policeman went away, for as used to touching sights as he had become, he said it was too tough for him."

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Myrtle, a Tucson prostitute.

When the father learned that his daughter owed the landlady a considerable sum, he offered to pay it off, saying that he would be back for her at a designated time, but, when he arrived with the money, she hid, preferring a life of sin to returning with her father. The grief stricken father stated that he would rather have found her dead. Editor Hughes thrived on such stories, believing that printing them would help end prostitution.

No such luck. On October 3, 1898, the city fathers, operating under the principle, "if you can't see it, it must not be there" passed Ordinance 117, making it "unlawful for any prostitute, courtesan, or lewd woman, or any occupant or employee of any house of ill fame or of any room used for immoral purposes...to allow any front door or window of any such house or room to remain open for any time or for any purpose whatever, either during the day or night."

Closing windows and doors did not stop prostitution as evidenced by the reform movement that swept Tucson in 1905, with both mayoral candidates trying to outdo each other with their promises to eliminate gambling and prostitution. The winning candidate, Levi Manning, kept his promise and the morning after his election endorsed Ordinance 200 which outlawed gambling and prostitution. It worked for gambling, basically because of the high cost of permits required for each table, but prostitution kept right on rolling.

Every few years new ordinances tightened the regulations and increased the fines. On September 16, 1907, the council passed Ordinance 267 which restricted minors from frequenting houses of ill fame or entering Gay Alley. On January 11, 1909, Ordinance 298 made it unlawful for "any person to give, barter, sell or deliver to any prostitute in the City of Tucson, any malt, vinous or spirituous intoxicating liquor" or consume such beverage in

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An anonymous Tucson prostitute.

a room occupied by a prostitute. On February 7, 1910, Ordinance 323 appointed a "City Bacteriologist" to issue health certificates, now costing $7.50. Operators of houses of ill fame were required to secure permits to run such a house from a committee consisting of the city recorder, health officer, and chief of police.

A list of prostitutes working in Gay Alley in 1910 contains sixty-nine names and indicates their nationality. One can only imagine the lives that brought Big French Jennie to Tucson from France, Tokio from Japan, or Minnie Hunter from Germany to work side by side with Blonde Bella, alias Peroxide, an American.

Whatever brought and kept the women in Tucson, most citizens accepted their presence. A city-wide vote in 1915 on whether to retain Gay Alley passed by a wide margin, 963 for and 348 against. On June 17, 1916, the council passed Ordinance 445 which outlined the area in which houses of ill fame were allowed to operate. Acting Mayor Fritz Bernard complimented the council saying, "You have done a very wise thing."

Not everyone agreed. A month later, M. Prato appeared before the council requesting that the name of Gay Alley be changed to Sabino Street, saying, "I hereby apply for a license for a lodging house of fourteen rooms at 32 Gay Alley. In this connection, I would suggest...the name of the street be changed from that of Gay Alley to something of less odious significance." M. Prato did not plan to operate a house of ill fame. The council obliged and Ordinance 466 changed the name of Gay Alley to Sabino Street. The next day's headlines read, "Gay Alley Is No More; Notorious Street Is Given Virtuous Name."

The name change didn't change the nature of the street. When, in 1919, a committee of ladies approached Mayor O.C. Parker with a petition to evict the women from Sabino Street, he replied, "There are more single men in Tucson than married men. They need a place to satisfy their sex needs. Under the police department's supervision it is tightly controlled. There is no trouble there. As long as I am mayor, it will stay open."

By the mid 1920s, however, pressure to close Sabino Street finally resulted in the eviction of the inhabitants of the houses of ill fame. Although many of the women left town, many moved to other locations where they continued to ply their trade. By World War II, the concentration of military men in Tucson led to an increase of prostitution. At the urging of federal authorities, the city council passed Ordinance 971 on April 5, 1943, which, for the first time, allowed police to arrest the male customers. Tucson police did not take advantage of this ordinance until November 13, 1976, when a headline on the front page of the *Star* read "Police Now Arresting Prostitute Customers" and listed fifteen names, several from Tucson.

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DALLAS STOUDENMIRE

BY LEON C. METZ

December 11, 1845—Dallas Stoudenmire is born in Aberfoil, Macon County, Alabama. His parents, Lewis and Elizabeth Stoudenmire, operated a farm. Brothers and sisters were Abednego, Meshak, Morgan, John M., Ann Alabama, Virginia M., and two twins, Samuel and Elizabeth.

1862—Dallas Stoudenmire enlists in the Confederate Army. He was dischargedon February 10, 1863, for being under age but reenlisted in the Alabama Cavalry in March, 1863 and was discharged Halloween day. On March 8, 1864, he joined Company F of the Seventeenth Regiment of Alabama Volunteers. When the war ended, he surrendered at Greensboro, North Carolina, with General Joe Johnston. Stoudenmire claimed to have been severely wounded four times in combat.

January 17, 1874—Dallas Stoudenmire enlists as a second sergeant in Captain J. R. Waller's Company of Texas Rangers. For the next couple years, he seems to drift in and out of the Rangers.

September 14, 1878—Dallas Stoudenmire sits on a Columbus, Texas, jury and finds an outhouse guilty of being a public nuisance. The sentence is "clean it up."

1876-1880—Stoudenmire allegedly kills various individuals at one time or another around Columbus, Texas. No person can be identified and the killings cannot be precisely verified.

1880-81—Dallas Stoudenmire becomes city marshal of Socorro, New Mexico. He carries a gun in each leather-lined hip pocket. One is a typical revolver, the other a "belly gun," meaning its barrel has been shortened for up-close work.

April 11, 1881—Dallas Stoudenmire becomes city marshal of El Paso, Texas. Samuel M. "Doc" Cummings, a man soon to become Stoudenmire's brother-in-law, arrives in town at roughly the same time and opens the Globe Restaurant. It advertises "no flies, dust, or noise."

April 12, 1881—Two Mexican vaqueros are murdered in the Rio Grande thickets ten miles north of El Paso. Former City Marshal George Campbell and rancher Johnny Bale are suspects.

April 14, 1881—An inquest regarding the murder takes place in downtown El Paso. Nearly a hundred vaqueros ride up and down El Paso Street demanding justice. The inquest is terminated, and the vaqueros, plus the bodies, return to Juarez, Mexico, across the Rio Grande from El Paso. At this point, former City Marshal George Campbell argues with Gus Krempkau, former constable and translator. When Campbell breaks off the argument and starts to climb on his horse, his friend, Johnny Hale, sitting in an adobe window and nursing a bottle, jumps up, screams, "I'll take care of this for you, George," and shoots down Krempkau. Stoudenmire, across the street having lunch at the Globe, comes on the run, reaching for one of two guns in his hip pockets. He kills an innocent bystander, and then kills Hale with a shot to the forehead. Campbell, watching all this aghast, screams, "This is not my fight." Stoudenmire looks around and puts a bullet in George Campbell. Four men are dead in a little over five seconds.

April 17, 1881—A former city marshal and deputy, Bill Johnson, attempts to kill Stoudenmire with a double-barreled shotgun at the northeast corner of El Paso and San Antonio streets. He misses. Stoudenmire puts nine bullets in Bill Johnson, and Johnson dies on a pile of bricks. (The attempted assassin was buried where the downtown public library stands today. Years later, when the bodies were moved, some folks wondered how Bill Johnson was doing. They removed the casket lid and, according to the newspapers, Johnson looked better than some of the spectators.)

Early February 1882—Dallas Stoudenmire temporarily leaves El Paso and visits Columbus, Texas. It is here on February 20, that he marries Isabella Sherrington.

February 14, 1882—Doc Cummings walks into the Manning Brothers Coliseum Theater on El Paso Street, argues with gambler/saloon owner James Manning, and is slain during a wild gunfight. The inquest stated that two different bullets killed Cummings, which meant that the bartender probably put a bullet in him too. Doc also had a fractured skull, indicating a blow to the head.

February 25, 1882—Dallas Stoudenmire returns to El Paso with his bride and learns of the death of Doc Cummings. Stoudenmire vows vengeance.

February-April 1882— As the feud between Stoudenmire and the Manning brothers, Jim, Frank, and Doc, heats up, the newspapers print Law and Order editorials. They claim El Paso citizens stand on the edge of a volcano, that citizens are fleeing the town, "and the streets may be deluged with blood at any moment."

EL PASO POLICE MARSHALL

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WHAT TO READ

Dallas Stoudenmire: El Paso Marshal
by Leon C. Metz

(The University of Oklahoma Press, $10.95 paperbound.)

April 16, 1882—The following peace treaty is published in the El Paso *Lone Star*: "We the undersigned parties [Stoudenmire and the three Manning brothers] having this day settled all differences and unfriendly feelings existing between us, hereby agree that we will hereafter meet and pass each other on friendly terms, and that bygones shall be bygones, and that we shall never allude in the future to any past animosities that have existed between us."

May 27, 1882—Stoudenmire has contined to drunkenly tree the town, feuding with everybody, including the Mannings. On this day, the El Paso city council meets to request his resignation. Stoudenmire enters the hall twirling a revolver, snarling, "I can straddle every God-damned alderman here." Council adjourns.

May 29, 1882—Dallas Stoudenmire, having sobered up, submits his letter of resignation to the city council. His assistant, James Gillett, becomes city marshal.

July 13, 1882—US Marshal Hal L. Gosling appoints Dallas Stoudenmire as a United States deputy marshal headquartered in El Paso.

September 17, 1882—Deputy Marshal Dallas Stoudenmire returns from Deming, New Mexico. At about 11 PM, he is poured off the train at El Paso. He staggers, drunk, down to the Manning saloon, scans it briefly for some wanted men, then spends the night in the brothel section of town.

September 18, 1882—Dallas Stoudenmire awakes to find the Manning brothers are looking for him in the belief that he had been looking for them the night before. By late afternoon, the misunderstanding is resolved, and Stoudenmire and the Manning brothers agree to meet in the Manning saloon and sign another peace treaty. Stoudenmire walks in and sees Doc and Jim. "Where's Frank?," he asks. Jim volunteers to go find his brother. Doc and Stoudenmire belly-up to the bar where they begin calling each other liars. Doc draws first and fires. He shoots the former city marshal in the shoulder. Stoudenmire's partly drawn gun falls to the floor and Doc fires again. The bullet strikes Stoudenmire in the shirt pocket but does not penetrate the skin because of a wad of wanted notices. Nevertheless, the impact knocks Stoudenmire through the bat-wing doors and out onto the El Paso Street sidewalk. Doc dashes out to kill him, but Stoudenmire fires his back-up revolver. His bullet strikes Doc in the arm, and Doc's six-shooter flips into the street. As Stoudenmire stands there, hurt and bleeding badly, trying to recock his weapon with both hands while holding it between his knees, Doc rushes upon him, wraps his arms around him, and the two men struggle. Doc hangs on for dear life, while Stoudenmire tries to shake loose and kill him.

At this moment Jim Manning comes rushing up, draws his weapon, cocks it, fires at Stoudenmire's head, misses and shatters a barber pole. He re-cocks, and fires again. The bullet strikes the big marshal behind the right ear. Stoudenmire topples dead on the sidewalk with Doc Manning astraddle him. The two Mannings were subsequently tried for murder, acquitted, and disappear from the streets of El Paso. Dallas Stoudenmire is buried in Alleyton, Texas, near Columbus. His grave site is unmarked and unknown.

WHERE TO GO

El Paso, Texas—There are a couple of historical markers downtown. The streets are the same as in 1881-82, except for being paved. The trains now run underground. The Manning saloon is today the Camino Real Paso del Norte Hotel.

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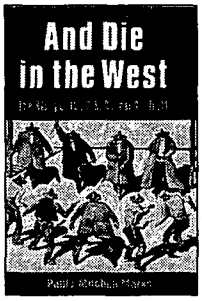

Outlaws & Lawmen

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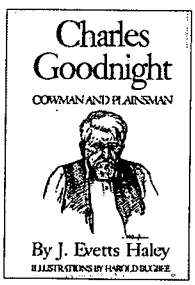

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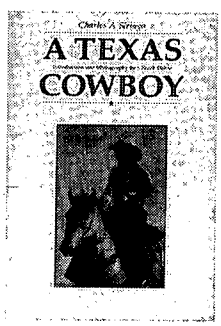

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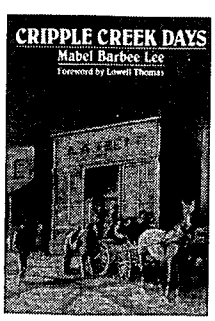

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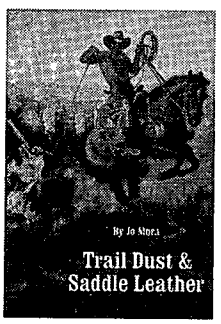

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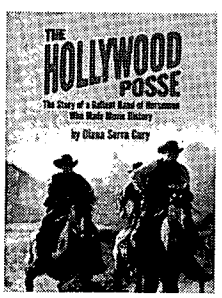

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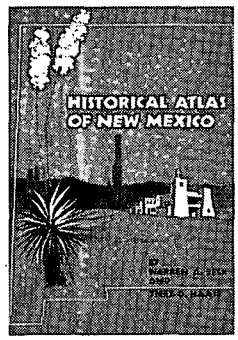

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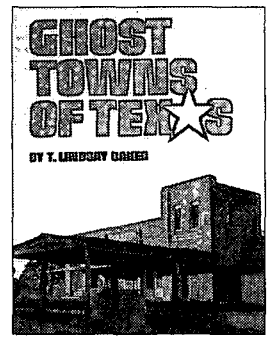

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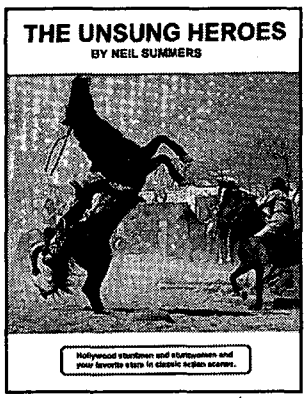

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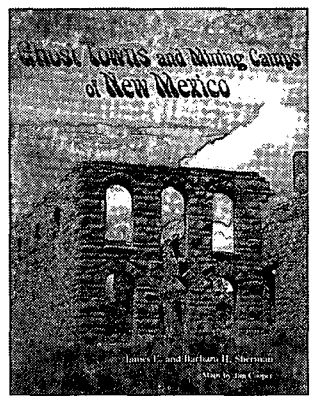

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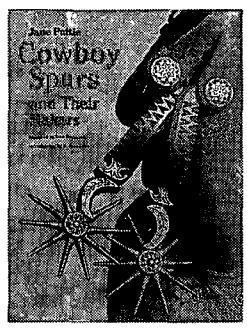

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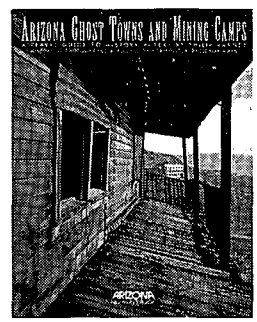

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When three Texas Rangers race to rescue Miss Mariel King from her Comanche kidnappers, a fierce battle awaits them in the darkness of...

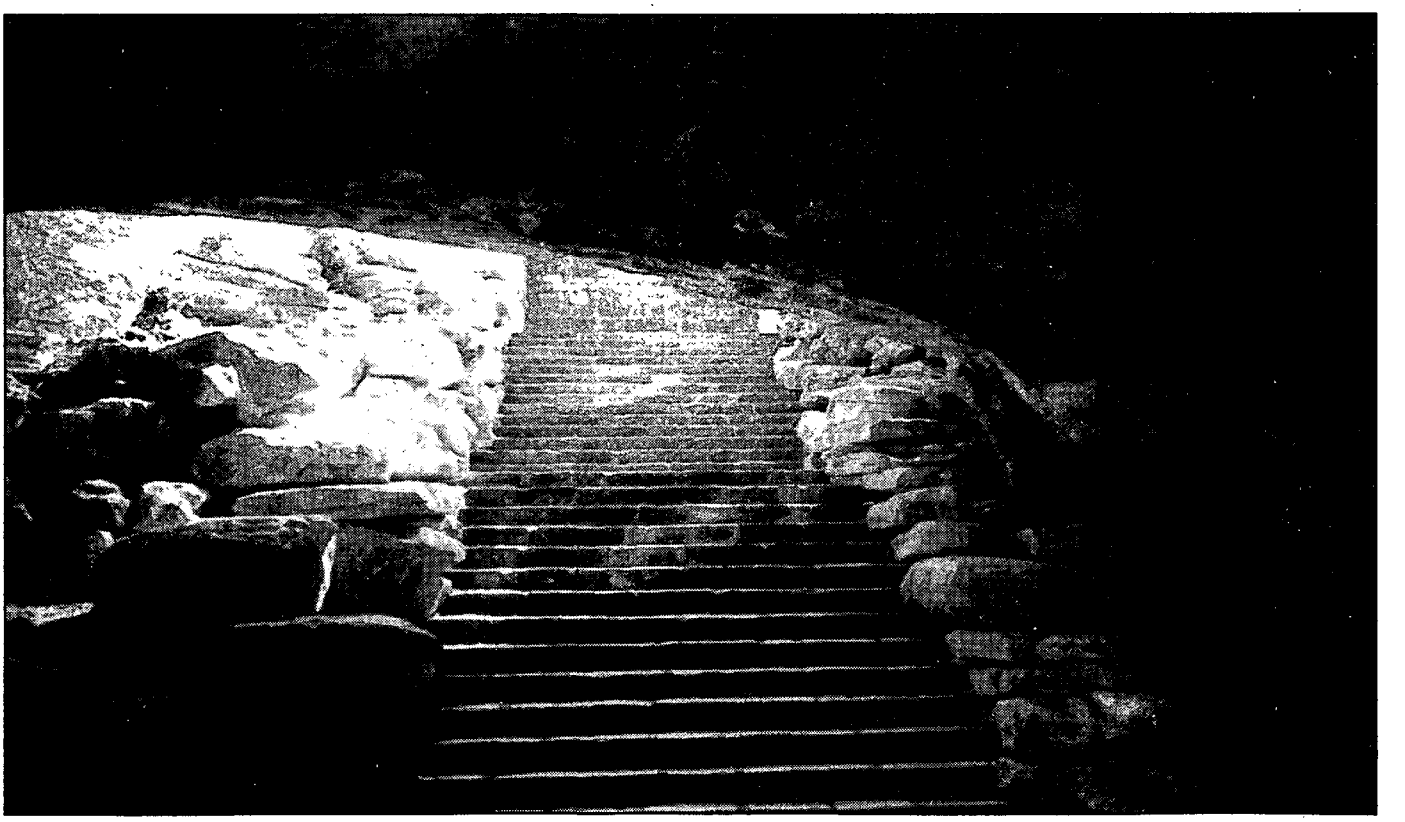
Longhorn Cavern

BY DAVID F. CROSBY

Longhorn Cavern lies hidden in the Texas Hill Country. Long known to man, it has a colorful past. Its huge, cool, domed rooms and tortuous connecting passages have served as a place of refuge and council chamber for Indians. During the Civil War, Confederate soldiers turned the cave into a gunpowder factory. Later, outlaws found the cave an ideal hideout. Prohibition turned the hideout into an elegant speakeasy, and today, thanks to the Depression and the hard work of President Roosevelt's Civilian Conservation Corps, a Texas state park.

The Texas Hill Country rises out of the heart of Texas like an island out of a vast ocean. Its granite mountains pushed upward a billion years ago, and then seasoned into oak-covered hilly vistas and rain-cut limestone bedrock. Nature's chisel patiently carved the Hill Country into a wonderland of scenic overlooks, beautiful rock outcroppings, areas studded with highly prized gems and minerals, and fascinating caves. Longhorn Cavern, one of those fascinating caves, lies in the geologic province known as the Llano Uplift, and burrows deep into Backbone Ridge. Backbone Ridge rises 400 feet above Hoover Valley which stretches to the west of the ridge. The cave's first name, Hoover Valley Cave, derived its name from this beautiful valley.

Created by an underground river abrading and dissolving limestone bedrock and the action of surface water rushing into the cave from sinkholes during heavy rains, mud carried in by the rains buried most of the cave before excavation by the Civilian Conservation Corps in the



Author's Collection

Steps leading down into the Sam Bass Entrance to Longhorn Cavern, reputed to be the hideout of the infamous Texas outlaw Sam Bass.

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1930s. The Indian Council Room, 183 feet long and cavernous, is the largest hall in the cave, and one of the few chambers to remain free of debris during the cave's life. Since the Indian Council Room had its own large entrance to the outside world, this is where most of the cave's history took place.

No one knows if early man used the Indian Council Room as a permanent residence, but arrowhead and spear point artifacts, along with ancient camel and elephant bones, leave little doubt that they used it for temporary shelter. Exposed veins of high-quality chert embedded in the cavern's limestone walls, which the Indians used to make projectile points, also lured ancient Indians into the Indian Council Room. Later, it would draw the hostile Comanches for the same reasons.

The Comanches used the underground room for generations, first as a council chamber, and then as a hideout during raids on nearby white settlements. During one raid on San Antonio, a small war party kidnapped Miss Mariel King. On their ride back toward their northern haunts, they stopped to rest in the safety of the Indian Council Room.

Three Texas Rangers trailed the Comanches back to the cave entrance. Colonel Noah Smithwick, Captain McGill, and Ranger Logan Van Deveer faced a terrible dilemma. Outnumbered, they stood little chance of surviving a rush through the cave entrance, and even if they did, the alerted Indians would kill Miss King before they could rescue her. Almost as bad, if they did nothing, the Comanches, now idle and thinking themselves safe, would gang rape Miss King, as was the Comanche custom.

Farther down the cave passage and around a bend, a large sinkhole entered the roof of the cave. The three Rangers decided that their only chance lay in climbing down the sinkhole and ambushing the Indians from inside the cave. They climbed down into the pit and then into darkness, using their hands on the cave wall to fumble around the bend in the cave until they spotted the campfire of the Comanches.

The Comanches squatted around the blazing fire deep into council, unaware that the Rangers watched from the darkness. Miss King sat against a far wall, her hands bound behind her back.

The three Rangers each picked out an Indian at the campfire, and in unison, opened fire. The flame of the Texans' guns flashed like dragons breath in the darkness of the passage, and the walls of the cave amplified the report of the guns to the crack of an army volley. Three Comanches dropped dead at the campfire. Terrified, the surviving Comanches fled into the darkness of the cave away from the flash and echoes of the Rangers' guns.

The Rangers sprinted into the Indian Council Room, untied Miss King, and led her toward their escape route. The Comanches, seeing only three Rangers, regained their courage, and rushed after the white men. Keeping themselves between Miss King and the onrushing Indians, the Texans shot, clubbed, and knifed back the horde as Miss King climbed the sinkhole to safety. Once on top, the four

Author's Collection

A natural bridge over part of the Sam Bass Entrance. Note the sinkholes on either side of the bridge. Texas Rangers climbed down into a similar sinhole to rescue Miss Mariel King from the Comanches.

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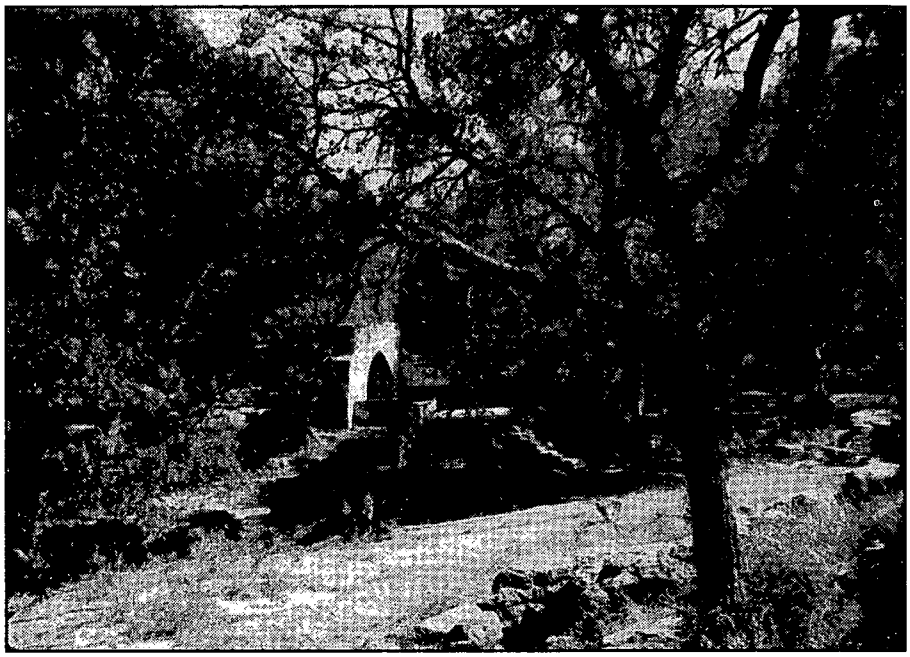
mounted horses, and a running gun battle ensued between the Rangers and Comanches. With Miss King now protected by three men obviously willing to die for her honor, the Comanches soon gave up the pursuit and rode north to fight another day.

After the daring rescue, Miss King married Ranger Van Deveer and settled in nearby Burnet. Both are now buried in Burnet, their graves marked with Texas Historical Commission plaques.

Mexican brown bats also found the cave to their liking and over time their droppings built into thick layers of guano on the limestone bedrock. Valuable as fertilizer, the Confederates put the guano to another use during the Civil War. Mining the guano with its high nitrate content, they added sulphur and other ingredients in the right proportions to manufacture gunpowder. They stored the finished product in a chamber now known as the Gunpowder Room before shipping it to the front. Today, because of the gate covering the entrance of the cave, the Mexican brown bats have moved on to less restrictive homes.

The Sam Bass Entrance to the cave is said to be an old hideout for the infamous Texas outlaw by the same name. A large hole, thirty-six feet deep and covered by a natural land bridge, forms the entrance. During Bass' time, mud and rock debris filled the cave entrance at the bottom of the rocky depression so Bass could not have used the cave itself as a hideout, but the sinkhole cavern that forms the entrance would have made an excellent hideout. Legend says that Sam Bass stashed a two-million-dollar treasure somewhere in the cave, but this seems doubtful, especially after a large amount of dirt and mud was removed by the Civilian Conservation Corps during the cave's renovation in the 1930s. Other "treasure" was found, however, in the form of many flattened bullets and two bodies in the Indian Council Room. One was the body of an Indian, the other a Confederate soldier identified by the buttons from his jacket. A nineteen-inch Spanish bayonet also turned up in the diggings. Another discovery in the Cathedral Room, a Colt .36 caliber cap and ball Navy revolver, manufactured in 1852, attests to the cave's violent past.



Author's Collection

Steps leading to the Sam Bass Entrance.

In the 1920s the cave began an elegant but, none-the-less, illegal life as a speakeasy. Residents had used the Lunch Room in the past as a meeting hall and picnic area so when Prohibition created a need for out-of-sight night clubs, the Lunch Room fit the bill perfectly. The cave owner laid a wood dance floor across the sixty foot long and forty foot wide chamber, installed lighting and a restaurant and hired a band. Supplies were lowered into the cave from a sinkhole just south of the serving counter. The Lunch Room became a popular local night spot until the Depression struck.

In 1931 the land owner sold the cave and surrounding land to the State Parks Board. The board renamed the cave Longhorn Cavern and, using convict labor, started to develop it as a public attraction. Local residents raised a protest over the use of convicts, so the state hired Cavern Company, a private contractor, to continue the work. Before long, the Civilian Conservation Corps took over the job and operated a camp at the site for four years. A museum near the Sam Bass Entrance recalls the work of these men and the legacy left to us all by the Civilian Conservation Corps.

GETTING THERE

You can find Longhorn Cavern five miles south of Burnet, Texas, on Highway 281. Turn onto Park Road 4 and stay straight for six miles. The cave is open every day except Christmas Eve and Christmas Day. There is an admission charge. For information write to: Longhorn Cavern State Park, Route 2, Box 23, Burnet, Texas 78611. Call (512) 756-6976.

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The deadbeat dad refused supporting his spouse or paying their baby's medical bills. The weak wife plastered herself to her mother's side. The mother-in-law from hell failed unloading her infant grandson at an orphanage, so a railroad depot became his nursery.

It's not a pretty tale. But it is true, and it happened in Casper, Wyoming, in 1903.

It all started well enough when the winsome, red-haired Viola, the eldest of Jno. M. and Anna E. Trout's three daughters, married John William Biggs on November 22, 1902. Like her mother, the five-foot, two-inch lass with eyes of blue found life in Missouri. But tough times forced the young couple into her parents' home. At first, things seemed all right. Annie treated her son-in-law "kindly" and even "loaned him furniture and did everything possible to make it pleasant for him and help him to get a start in life." At least that was twenty-year-old Viola's story.

Unfortunately, as anyone familiar with such an arrangement will testify, the limited privacy soon took its toll. John yearned for a home of their own, but Viola demurred. She "refused to leave her mother."

Despite the consummation of their marriage and the promise of a baby, their bliss soon wore thin under the rasp of domestic disputes and bickering. Six months later, in mid-May 1903, John called it quits and moved out of the Trout home. Regretting their split, Viola went to John and pleaded for him to take her back, but he refused. "Married

Viola Biggs

Hell Hath No Fury

By Larry K. Brown

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life ain't what it is cracked up to be," he complained. Still anxious for reconciliation, she joined him several months later in his room at the Grand Central Hotel. After a couple of nights together, however, he told her to go. He could not afford her board, he said. He also refused her suggestion that he rent a house so they could live together. Instead, he put her off by saying that "maybe" he would rent a house after the birth of their child.

Distraught, the pregnant Viola returned to her folks. Later, John no longer wanted their youngster and encouraged that she "get rid" of it. When she refused, he told her physician and the Webel Mercantile Company, where Viola frequently shopped, that he no longer would be liable for any of her bills.

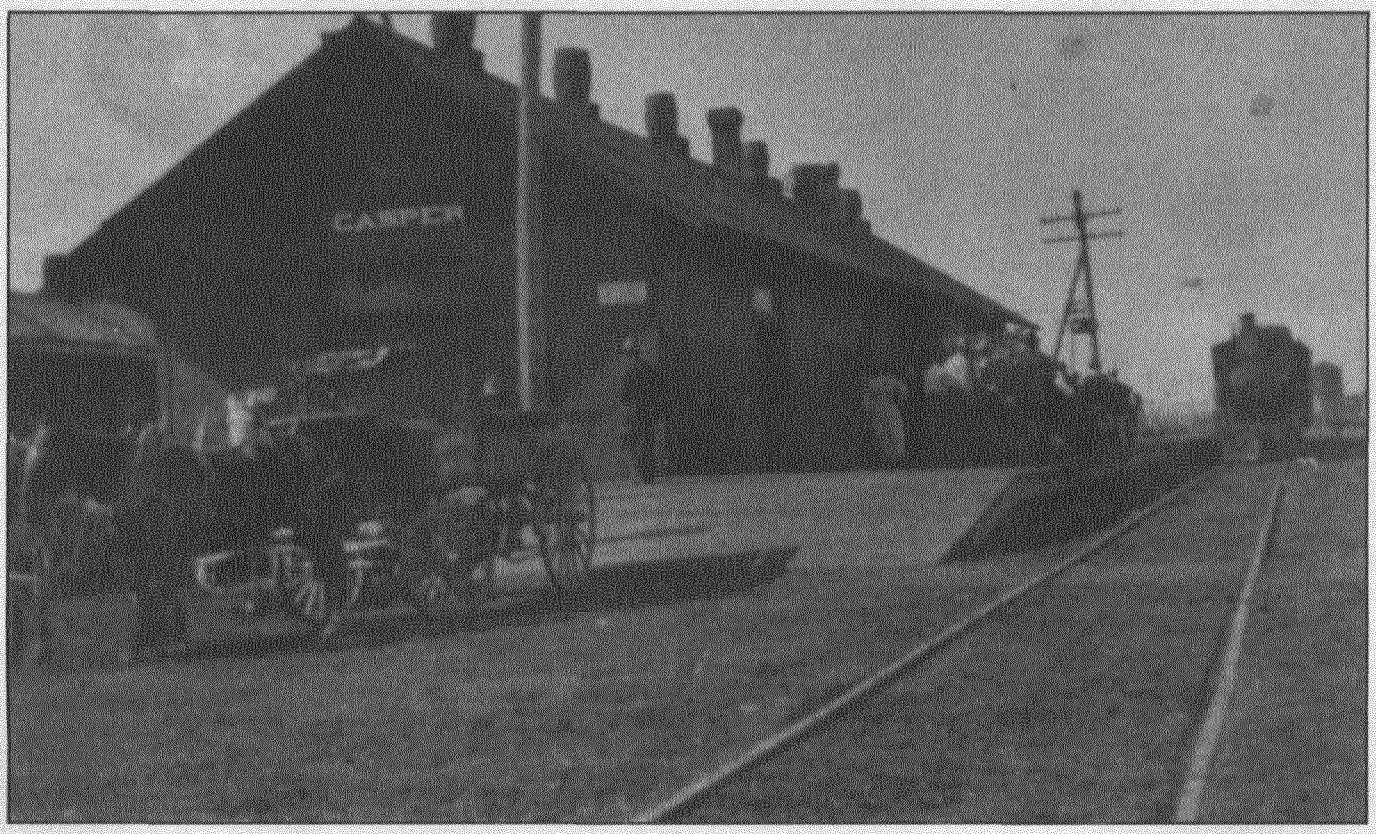
On August 16, Viola gave birth to a son, Mariett Archer Biggs. After the baby arrived, Viola repeatedly encouraged John's reunion with his boy. He not only refused, but said he "did not want to be bothered with a baby." He told his wife, too, he would never take her back.

Despite the support provided by Viola's parents, the child's maternal needs prevented the young mother from plying her skills as a stenographer and, before long, the family larder came under stress. Instead, she helped her forty-two-year-old mom, who was a dressmaker, by doing needle work. The struggle, however, prevailed.

In one last shot at reconciliation, Viola told John that unless he shared in Mariett's support, she would put the boy up for adoption. Still he refused. So, on the morning of September 10, as John looked on without protesting, Viola and her mother set off with the infant toward the Casper railway station. With the consent of her daughter, Annie took the month-old Mariett to Denver where she planned putting him in an orphanage. Officials there rebuffed the baby, however, after the grandmother refused to answer their probing questions.

Still determined to unload this burden, Annie took the child the following day to the local Union Pacific depot. The station matron Sarah Thomas recalled later that while she cleaned the ladies' waiting room, Annie entered and asked "if she could leave her baby in my care while she went up town to do some shopping." Thomas replied that "one could not very well shop at night-time" then went about her work and did not think anything more about the woman. In the meantime, Annie penciled a note on a sheet of coarse paper and pinned it on the baby's gown. It read: "Please take baby to orphans' home. He was born August 16. His name is Leonard [sic] Trout." She then left the building and returned via train to Casper.

About 7:30 PM, said Thomas, "I heard a baby crying, and looking about, saw that the wail came from a lonely bundle." According to a Denver newspaper reporter's account, the infant's face, "so drawn and lined..., wore the aspect of an adult. Its little frame is a bundle of bones; about the eyes are distinct crow's feet and the lines around the mouth and between the brows are



Wyoming Division of Cultural Resources

After reconciliation failed between the Biggses, Viola gave their baby boy to her mother Annie, who took it on the train from the Casper Railway Station, above, to Denver, where she planned to put the child in an orphanage.

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as distinctly marked as if years of worry had imprinted them. When I [Sarah Thomas] picked it up and saw the note, [I] read it and knew that the woman who had spoken to me fifteen minutes before was she who had left the baby." The child, she said, "was coarsely but cleanly dressed. It wore a long dress of cotton flannel and was found wrapped in a gray woolen woman's cape." A small bundle containing a pair of tiny shoes, two pairs of stockings, and two entire outfits of baby clothing also lay nearby.

Sarah immediately called the authorities, who took the baby to the city hall and put it into the care of a "Mrs. Clark," an inmate of the matron's quarters" there in the jail, who had a baby of her own. Then, after feeding the wasted waif from her own child's bottle, she stowed it next to her baby for the night. But a few of the woman's friends and associates feared the sickly infant might not survive that first night. The infant was so very sick a few thought it might die from exposure and hunger. With Mrs. Clark's care and the aid of the city physician for several hours, however, the child soon recovered and, the following day, officials at the Denver orphan's home accepted it into their care.

The following morning, Viola saw John in a nearby restaurant. She went to him, because, she said, she missed him "awfully well." She also cried and lied that she sent the baby away to Deadwood, South Dakota. Biggs, she said, would never have the baby as long as he would not take her back.

Wyoming Division of Cultural Resources

Anna Trout treated her son-in-law "kindly" and even "loaned him furniture and did everything possible to make it pleasant for him and help him get a start in life," according to her daughter Viola.

Following an investigation and subsequent tentative identification of the child, the Denver police notified Casper authorities of their suspicions. The Natrona County attorney and prosecutor, John M. Hench, responded by traveling to Denver, where he helped confirm the baby's identity and notified Biggs' mother, Martha Harris, who followed and retrieved the child on September 23. It would be nearly a week later, however, before the Denver Humane Society released the child into the care of Mrs. Harris, who returned the infant to Casper.

Three weeks later, on October 14, the irate husband and father filed kidnapping charges against both his mother-in-law and his wife. Arrested that afternoon, they remained in the custody of Sheriff Frank K. Webb until about nine that night when they secured bonds of five hundred dollars each and were allowed to return home. In the meantime, John's mother petitioned the court for control of the baby and subsequently gained its custody.

Despite the Casper community's indignity over the affair and local editorial attacks, Viola and Annie had their supporters. In fact, during the two weeks preceding their hearing, they threatened attorney Hench among others, because of "the interest they were taking" in the case. Although warned to "tend to his business and let up on the kidnapping case," Hench refused that intimidation. He could "generally be found at his office," he said, "where the latch string is always hanging out to friend or foe."

The preliminary trial of the state versus Anna and Viola convened at 10 AM on Tuesday, October 27, but delayed its progress for nearly three weeks because the women's attorney claimed he lacked time to prepare his case.

When the case continued the fol-

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lowing Wednesday, a variety of witnesses came forth and confirmed the identity of the child. "It seemed," according to some of those present, "to take great interest in its mother, whom it had not seen for several months." During the hearing, the testimony turned nasty as John swore that, although the baby was born nine months after their marriage, "his relations with Viola... before marriage were such that the child could be born before the date named and he would be the father." Although Viola and her mother never took the stand, they claimed they would prove Biggs did not sire the child by revealing the identity of the real father.

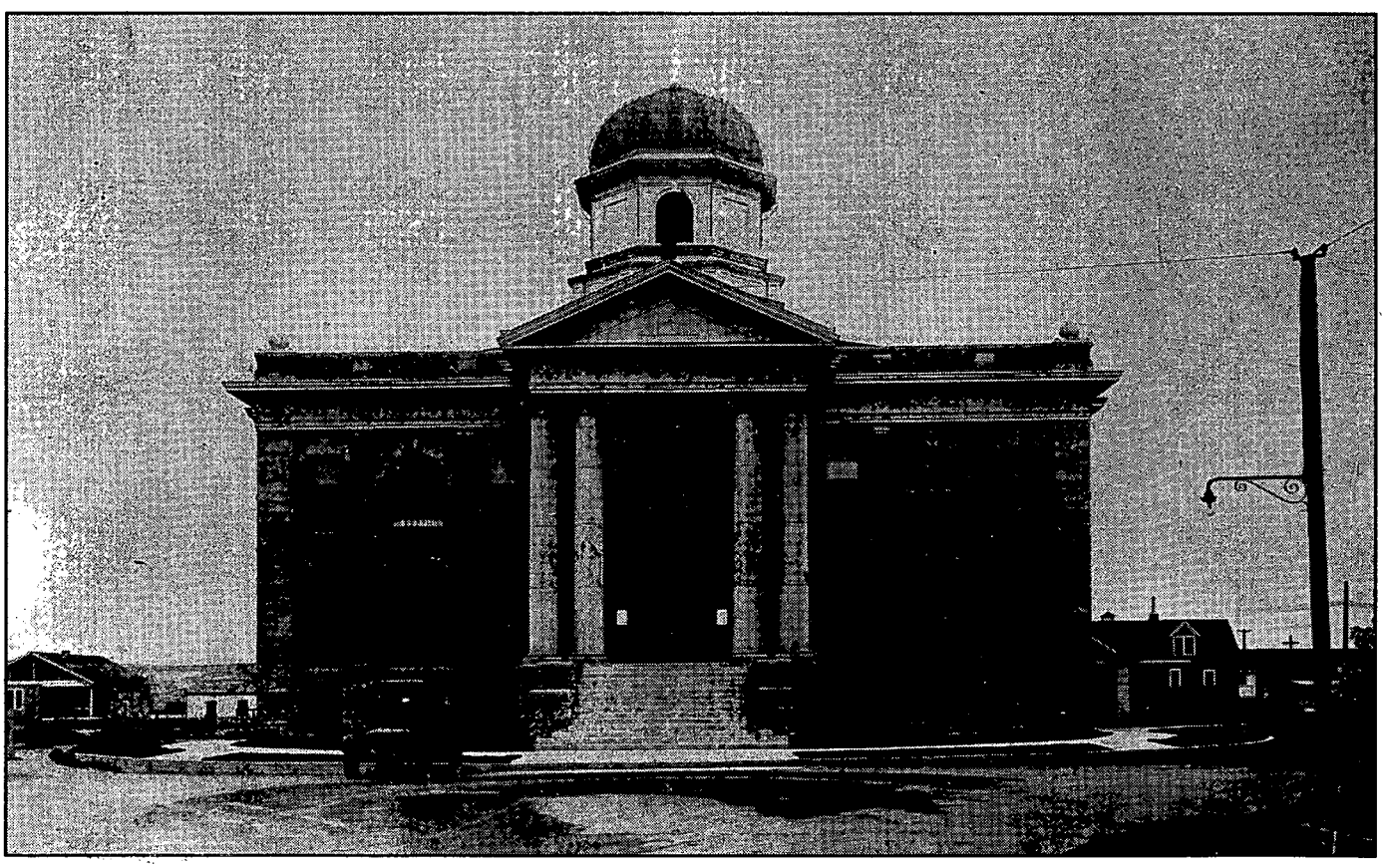
Officials of the Second Judicial District Court of Natrona County convened in Casper on Wednesday afternoon, February 3, 1904, and formally charged the mother and daughter with kidnaping, a crime which offered a potential penalty of fourteen years in the state penitentiary should they be convicted. Finally, at 2:30 PM on February 10, the first witness, John's mother, testified.

The wheels of justice ground on until eight days later on a Thursday evening when jury foreman W.E. Tubbs delivered the following verdict: "We, the jury, duly enpaneled and sworn to try the issue in the above entitled cause do find the defendants, Viola Biggs and Anna E. Trout, guilty in the manner and form as charged in the information." On the jury's behalf, Tubbs added a "recommendation of the court's clemency to the defendant, Viola Biggs." The sentence seemed "to meet with the hearty approval of a great majority of the people of the town and county.

Frail Viola immediately broke down and wept bitterly as she pleaded unsuccessfully that Judge Charles E. Carpenter not jail her. Annie, however, took the decision stoically and with seeming contempt.

It took Judge Carpenter nearly five more days of study and soul searching, however, before he finally decided their sentences. On the morning of Tuesday, February 23, Annie and Viola walked "unattended with a firm step." That would

Following an investigation and subsequent tentative identification of the child, the Denver police notified Casper authorities of their suspicions.



Wyoming Division of Cultural resources

The sad little soap opera involving the "kidnapping of Marriet Biggs" played itself out in the Natrona County Courthouse during the trial of the infant's grandmother, Anna E. Trout, and his mother, Viola Biggs.

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change. Bringing the defendants before his bench, the judge asked Viola, "Have you anything to say why the sentence and judgment should not be pronounced upon you?"

"Well, sir," she replied, "I am not guilty. That is all I have to say."

Judge Carpenter said that pronouncing sentence upon her "was the most unpleasant duty" of his life. Despite the fact her husband "wholly failed to keep his marriage vows," her despicable crime of abandoning her own child demanded that "an example must be made." Continuing, the judge said, "It is ordered, considered, adjudged and decreed by the court, that you, the said Viola Biggs, defendant, be remanded to the custody of the sheriff of Natrona County, State of Wyoming, and that within the time provided by law, the said sheriff of said county shall take you and deliver you to the warden, keeper, or other proper officer of the Wyoming State Penitentiary, situated at or near the city of Rawlins, in the County of Carbon, in the State of Wyoming, and that you, the said Viola Biggs, be therein imprisoned and confined for the period of one year...and that you be governed, clothed and subsisted, according to the rules and regulations of said institutions, and that you be adjudged to pay the costs of the action."

Viola returned to her seat in the courtroom. Her mother next stood and approached the bench. "I am not guilty," she said in a soft, nearly inaudible, quivering voice.

Prior to pronouncing sentence, the judge admonished that Annie "was of mature mind, and her judgment should have been better than that of her daughter's. She should have advised and influenced her daughter against the desertion of her child, but instead she encouraged her in the desertion of the helpless babe, and she even took it away and left it." For that unforgivable lapse of responsibility, Judge Carpenter sentenced her to eighteen months or six more than her daughter.

Their attorney, Fred D. Hammond, delayed the women's sentencing, however, by securing stays of execution until the court could rule for or against a new trial. In the meantime, Sheriff Webb whisked the two women off to county jail. He confined them there to a makeshift "ladies cell," an apartment across the hall from the living rooms of the sheriff, out of sight and sound of the male prisoners' cages.

Separated only by an open wall of iron bars from the men, the women quickly became disgusted with their surroundings and begged to be moved.

Witnesses said later that Viola at first "gave vent to her feelings copiously, on account of her humiliation, but after a night's rest she became reconciled and bore up more bravely." Although Annie wept, too, she seemed more understanding and philosophical about her fate.

The following Saturday morning, Viola and Annie returned to court during the argument of a motion for a new trial. Annie, dressed in the same "very plain" clothing she wore during the trial, appeared strained and weary. Viola, on the other hand, "looked bright and almost as free as she did during the trial." She also had changed "her gaudy costume for a modest red waist and plain black skirt, and instead of wearing a rich hat trimed [sic] with gorgeous white plumes, she had thrown over her head a plain white fascinator."

The heated debate that followed by prosecution and defense held the attention of both the court and the defendants until proceedings ended with a wrap of a gavel. The following Monday morning, Judge Carpenter announced that although his "sympathy went out to the defendants on account for their sex," their attorney's arguments failed to convince him of the need for a new trial.

During the following month, authorities moved the two women from the relatively comfortable "apartment" into a regular cell that lacked accommodations, per se, for female prisoners. In fact, many of the city and county convicts there "made it extremely obnoxious" for Viola and Annie. Separated only by an open wall of iron bars from the men, the women quickly became disgusted with their surroundings and begged to be moved. The authorities, too, wished that the women be sent elsewhere, because of the "crowded condition of the jail." The court finally shipped them off to Cheyenne, where on Monday, March 21, they entered the Laramie County jail. They remained there until the state supreme court acted upon their appeal.

Although their situation improved, attorney Hammond suggested his clients consider going to the state penitentiary, where they would have more comfortable quarters. Should the supreme court rule against them, he said, they would have at least half their sentences served by the time the court reached its decision. Viola and her mother agreed. The following Thursday, Sheriff Webb escorted the two women to the Union Pacific depot at the south end of Capitol Street, where they boarded the westbound train to Rawlins. Several hours later, the trio disembarked and the sheriff led his prisoners north up the hill to the great, graystoned state penitentiary. After passing through the bristling barbed wire fence surrounding the prison, like three women who preceded them there, they walked under the watchful eyes of the armed turret guards directly across the bare yard to a reinforced door at which their police escort pulled a bell rope to

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announce their arrival. After a few moments, a huge metal key turned within the lock on the far side of the port and another armed sentry admitted them into the stone building before relocking the door behind them.

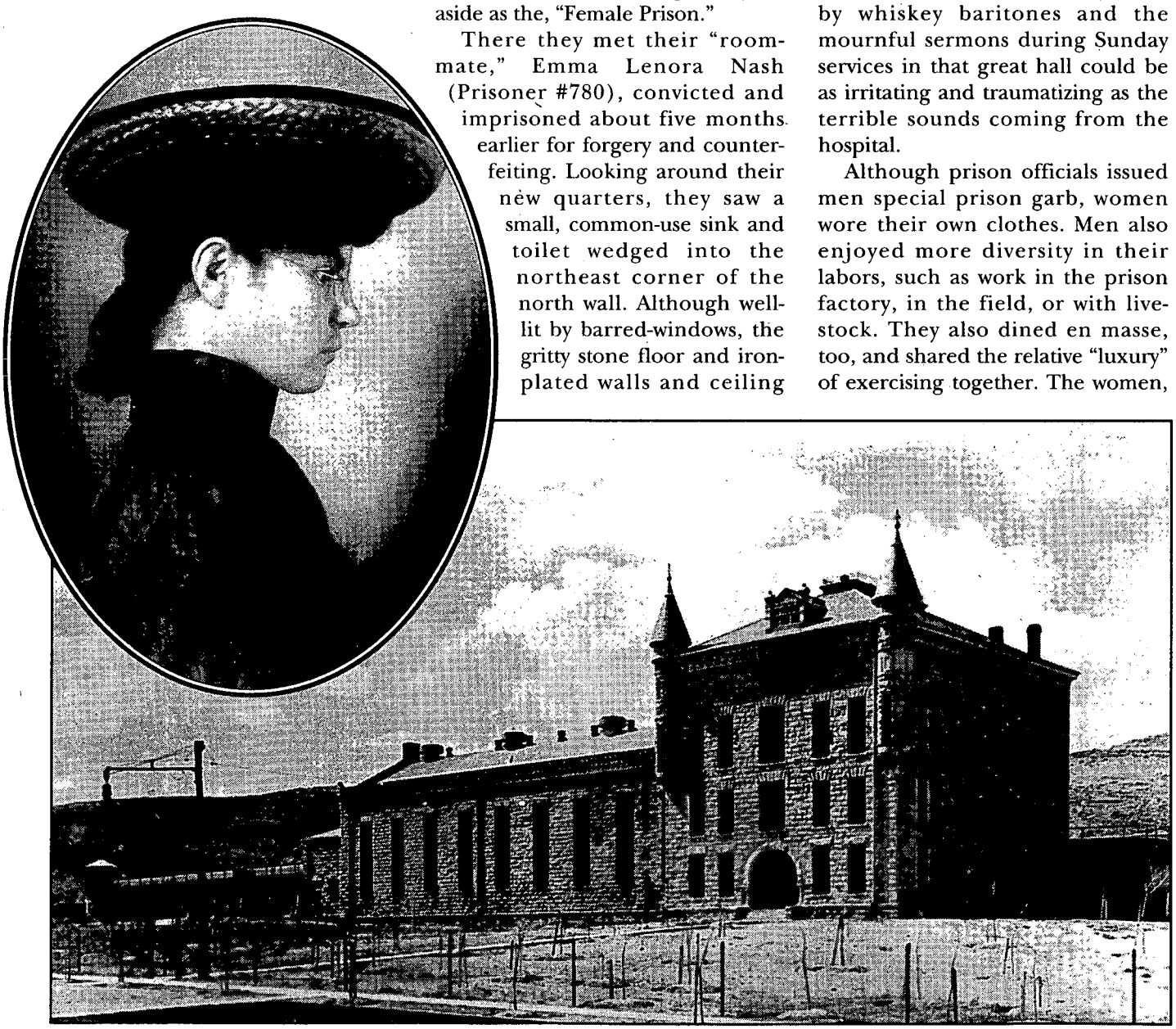
Next, they entered a processing room where they answered questions about their names and ages before giving background information about their families, past occupations, religions, and education levels. They also divulged details about their temperance, whether or not they had been promiscuous or had used drugs and alcohol. After being weighed and having their prison identification pictures taken, a doctor had them disrobe before he measured them, determined the colors of their hair and eyes, and examined them for scars and other identifying marks.

After the processing was completed, Viola (Prisoner #817) and her mother (Prisoner #818) followed their guard to the main lobby and proceeded up two flights of stairs. Upon reaching the third floor, they entered the open bay set aside as the, "Female Prison."

There they met their "roommate," Emma Lenora Nash (Prisoner #780), convicted and imprisoned about five months earlier for forgery and counterfeiting. Looking around their new quarters, they saw a small, common-use sink and toilet wedged into the northeast corner of the north wall. Although well-lit by barred-windows, the gritty stone floor and iron-plated walls and ceiling became depressingly cold, particularly in the winter and early spring. A small steam radiator near the barred door offered little heat.

Directly across the stairwell, they also could see into the prison hospital of nearly comparable size, where prisoners occasionaly screamed from injuries incurred from being dressed or from infected teeth being pulled by sometimes less than sympathetic medical staff. The chapel, the largest room on the same floor, dominated the southern part of the main Administration Building. Harsh hymns sung there by whiskey baritones and the mournful sermons during Sunday services in that great hall could be as irritating and traumatizing as the terrible sounds coming from the hospital.

Although prison officials issued men special prison garb, women wore their own clothes. Men also enjoyed more diversity in their labors, such as work in the prison factory, in the field, or with livestock. They also dined en masse, too, and shared the relative "luxury" of exercising together. The women,



Wyoming Division of Cultural Resources

Emma Lenora Nash (inset) was serving time at the Wyoming State Penitentiary in Rawlins when Anna Trout and Viola Biggs began their sentences as the fourth and fifth Women to be imprisoned in the female portion of the prison, which was located at the rear of the Administration wing (far right) on the third floor.

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however, remained at all times in their ward, where they ate, mended, washed clothes, and slept.

Despite such conditions, Viola and Anna finally settled in and had a trunk of clothes sent to them. Someone reported that, "one of the reasons they so strongly protested against going to the penitentiary after being convicted was they thought that their hair would be cut off." Once they found that would not happen, their attitudes improved immensely. In fact, during a visit to the women's cell after he delivered a couple of prisoners, Sheriff Webb reported that Viola and Annie "were comfortably situated, having a nice large room full of flowers, and as being contented."

The ladies' attorney in the meantime, filed a petition in error with the Wyoming Supreme Court. He challenged, among other things, that the district court verdict contradicted the evidence, the law, and the instructions given by the judge.

Having reviewed the preliminary evidence of Hammond's charges, Attorney General J.A. Van Orsdel agreed. In his words, "I am forced to the conclusion, after carefully reading the evidence in this case three times, and studying it in all its phases, that the evidence conclusively discloses that Biggs not only abandoned his wife in May prior to the birth of the child, but he notified the family physician that he would not be liable for any bills contracted by his wife, and also the Webel Mercantile Company to the same effect." In summary, he said that he failed "to find sufficient evidence against these women to sustain the judgment of the court hence they will both likely be pardoned at an early date."

Although Van Orsdel's opinion cleared the way for the State Supreme Court's consideration, Viola and Annie faced with still another obstacle; they lacked "the means...to pay the expenses, costs and fees" to fight their case. Chief Justice Samuel T. Corn said, however, they "were excused from paying said costs."

After debating the case for roughly five months, the Wyoming Supreme Court justices outlined their findings:

Wyoming Division of Cultural Resouces

Wyoming Supreme Court Chief Justice Samuel T. Corn.

1. To constitute the act of kidnapping, the removal of a child too young to be capable of objection must have been from the possession, actual or constructive, of the lawful custodian or against the will of someone authorized to object.

2. Where a husband abandoned his wife before the birth of his child, and thereafter did not live with, support, or in any way care for her, was not at any time in the custody or possession until after the mother with his knowledge had sent the child, when less than a month old, in care of its grandmother to another state; held, that the father had abandoned the sole custody of the child to the mother, and, further, by standing by without objection, when he knew the child was being carried off, he gave implied consent to its removal, and the mother and grandmother were not, therefore, guilty of the crime of kidnaping in so removing the child.

3. Under a statute giving the father the right of guardianship of a minor child in preference to the mother, it is the actual state of things, and not the existence of a mere legal relation, that is contemplated.

4. A mother and grandmother who remove a minor child, too young to object into another state are not guilty of kidnapping under the statute, where the father consented to such removal, though the latter may have been at the time in the actual custody of the child and entitled thereto.

Having expressed those opinions, Chief Justice Corn concluded on August 23 for his colleagues that Viola and Anna, indeed, had been "prosecuted in error" and he communicated their decision via letter to Warden J.P. Hehn at the Wyoming State Penitentiary. Two days later, upon request of those instructions, Warden Hehn released the ladies "by reason of order by the Supreme Court" and sent them back to Natrona County Jail in Casper pending a new trial. That same day, however, District Court Judge Carpenter ordered that Sheriff Webb release Viola and her mother. And, in the absence of new evidence, the court dismissed all charges.

Viola and Anna subsequently returned to their home, where they and baby Merritt retreated into well deserved anonymity.

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WHEN A WYOMING STOCK DETECTIVE GUNS DOWN WHISKEY PEDDLER J.J. MCGINNIS, IS IT A CASE OF...

MURDER -OR- DUTY

BY LARRY D. UNDERWOOD

Cattle inspector and range detective Benjamin N. Morrison sat at a worn table, eyes squinting into the dark corners of the Rustic Hotel at Fort Laramie, Wyoming Territory. It was February 18, 1880. Outside the hotel, old Fort Laramie was bustling with soldiers, civilians and dogs. The dogs were particularly bothersome, yipping, snarling, and barking at everything that moved. Nervous horses danced and kicked up dust, their eyes white with fear. The hounds belonged to Army officers. Since the Indian threat died out, hunting had become an even greater sport for the bored Army officers.

Just now Detective Morrison was not interested in dogs. He was hunting a man. He'd been to Fort Laramie on cattle business before, but his business was not cattle this time. Laramie County Sheriff Draper had deputized him to bring in John J. McGinnis. The warrant Deputy Sheriff Morrison carried for McGinnis was for "again" selling whiskey without a license.

Deputy Morrison knew his quarry. McGinnis had been arrested, or accused, numerous times. Sometimes it was for questionable stock dealings, such as selling a horse that just happened into his hands at his whiskey ranch. McGinnis' place was notorious as a hangout for horse thieves. Agnes Wright Spring wrote that the ranch was called Ten Mile because of its location on the Cheyenne-Deadwood Stage road. She added, "Coaches stopped here only of necessity." There were several instances of travelers being robbed of their stock near McGinnis' Ten Mile Ranch.

Morrison was warned: McGinnis had a bad record. Be careful. Keep a close eye on him.

The McGinnis ranch was not a safe place for a lawman, but Morrison hoped that McGinnis would ride into Fort Laramie. McGinnis knew many of the soldiers at the fort. McGinnis' place was similar to another local establishment, the Three Mile Ranch. Off-duty soldiers streamed out to buy the cheap whiskey and enjoy the company of the women that worked at Three Mile for Jules Escoffey. Most soldiers agreed, however, that Escoffey's place had bad whiskey and worse women.

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The Rustic Hotel at Fort Laramie was some better, although travelers often spoke of "horrid little bugs" after a restless night of sleep. And neither whiskey, good or bad, nor women, bad only, were allowed at the Rustic Hotel.

It was a cold, blustery Wednesday when Deputy Morrison got lucky. McGinnis showed up at Fort Laramie. Morrison would not have to risk life and limb by traveling a "winding tangle of trails" to McGinnis' Ten Mile Ranch.

McGinnis had ridden a crooked trail for many years. In the words of a news reporter of the time, "McGinnis," who appeared to be between forty-five and fifty-five years old, "is an old time offender. He had been arrested on many occasions." Another reporter called him "a bold, bad and dangerous man." Still another claimed he was "the notorious keeper of a 'fence.'"

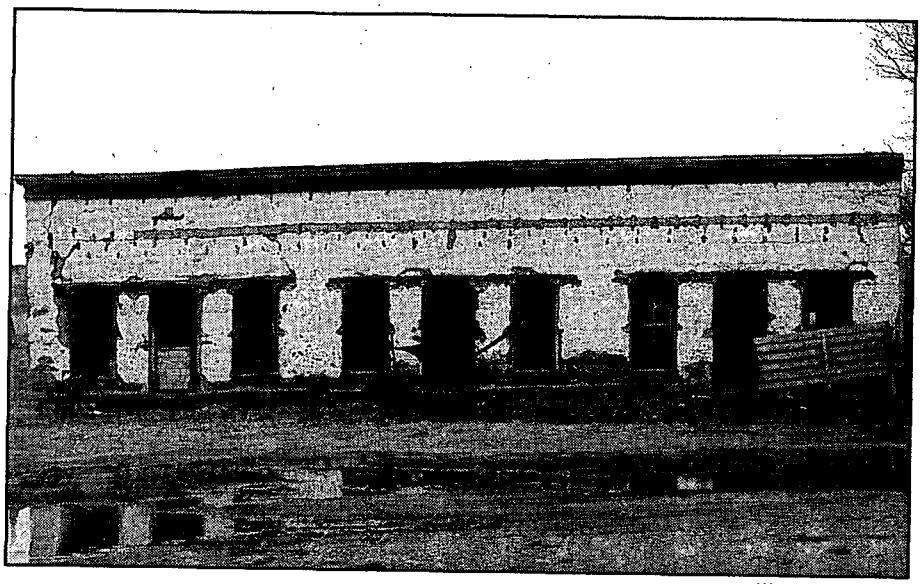
McGinnis' reputation followed him. *The Cheyenne Daily Sun* filled in their readers on Sunday, February 22.

McGinnis had been near Fort Laramie for about fourteen months.

"He kept liquor for sale, and after the license expired continued to sell ardent spirits. His character was very bad...and several deprecations... were charged up to him." The *Sun* claimed that he stole horses also.

"McGinnis, an outlaw for 20 years, was one of the murderers of the Phillips family on the Arkansas River, this according to a Laramie County officer. His partner in the Phillips murder was hanged. McGinnis escaped to rob a U.S. Army paymaster in Illinois of $40." McGinnis was caught and acquitted of that charge.

By 1873, McGinnis operated a "second hand store and thieves' 'fence'" in Omaha. The *Omaha Herald* called McGinnis "a hard character." Nevertheless, with law enforcement pressuring him, he quit Nebraska and opened a jewelry store in Greenwood, Iowa, on the Chicago, Burlington and Quincy Railroad. With two friends, he began robbing local citizens. Found out, McGinnis fled, but was arrested in Rock Island, Illinois, and returned to Iowa. He served nineteen months at the Fort Madison penitentiary.



Western Publications

The Three Mile Ranch.

McGinnis' next stop was Cheyenne. There he quickly opened a fence and, just as quickly, was arrested. Tried and convicted, a judge sentenced him to three years and ten months in the Wyoming penitentiary. But as the judge pronounced the sentence, McGinnis' wife and four children began wailing at the injustice done their father. The children were pitiful, heartbroken.

McGinnis was in a rage. The case against him was prejudiced. The *Sun* reported, "By some sort of hocus pocus he was granted a new trial, and finally acquitted." It was at that time that McGinnis leased the road ranch north of Fort Laramie, on the Cheyenne-Black Hills Stage road.

The arrest of McGinnis at Fort Laramie was not complicated. In his report to the Wyoming Stock Growers' Association a few weeks later, Deputy Morrison wrote: "February 13th: Left to arrest J.J. McGinnis. Captured him at Fort Laramie."

Morrison had his man, but that was not the end. Mrs. McGinnis came to Fort Laramie, proposing to buy McGinnis out of this predicament. Her husband had gotten caught in the cookie jar. Now she wanted to pay "for the cookies."

Deputy Morrison couldn't do that. McGinnis had to go to Cheyenne.

And when would Morrison and her husband depart for Cheyenne? Mrs. McGinnis claimed the deputy answered, "On Friday."

Colonel Brackett, commanding Fort Laramie, loaned Morrison a horse and sent Corporal Richard Howe and Private Frederick E. Rogers, Company H, Third United States Cavalry, as escort. Morrison had another horse at Sturgis & Goodell's Ranch. The soldiers' orders were to go as far as the ranch and return with the borrowed Army horse.

Thursday, February 19, 1880, dawned clear at Fort Laramie. As they saddled up, Morrison warned his prisoner that "none of his old tricks would be tolerated."

McGinnis smiled, but Morrison detected "a vicious feeling beneath his smiles." He'd have to watch this one.

About 8 AM, Morrison mounted a small horse, a pony. McGinnis rode a "large government horse." Morrison did not put the irons on his prisoner.

Morrison recalled that McGinnis "chatted pleasantly along the way and during the afternoon, began a recital of his life, telling of his wife and four children and of the ways to

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which he resorted in order to make a living."

About twelve miles from Fort Laramie, McGinnis and Morrison switched mounts. McGinnis now rode the smaller, faster pony. Morrison had the larger government horse.

The afternoon wore on and McGinnis began complaining about his horse, saying the horse was "growing lazy." He wanted to know if he could have Morrison's quirt.

McGinnis' attention turned from the horse to his own sad situation. "He seemed dispirited," Morrison related, "he feared he would be hanged upon reaching Cheyenne."

Deputy Morrison assured him that such would not be the case.

"Yes," said McGinnis firmly, "they will hang me."

After a time, Morrison kicked his horse forward and asked Corporal. Howe and Private Rogers to ride on ahead. Morrison said he wanted to talk to McGinnis and perhaps get him to "give away" some of his fellow thieves.

Corporal Howe hesitated, then told Morrison that "McGinnis had requested his close company, because he feared a put up job." But Howe and Rogers rode ahead anyway, out of range of hearing.

Morrison and McGinnis said nothing for a while, content to sink into their saddles and continue south toward Cheyenne. Late in the afternoon, about five miles north of Sturgis & Goodell's Ranch, McGinnis asked Morrison for a chew of tobacco. Morrison fumbled inside his coat, trying to extract the tobacco. McGinnis continued riding as Morrison fell behind.

Ahead of the two, Howe and Rogers came to Lone Tree Gulch at a place called Goshen's Hole. They were "probably 250 yards" from Morrison and his prisoner, riding down a little hill into the gulch when they heard a gunshot.

When McGinnis figured he was far enough ahead, he had called out to Morrison, still inside his coat searching for the tobacco, "I'd just as soon take my chances with you here as to go down to be hung by that mob." With that, McGinnis lashed and kicked the pony into a gallop.

Morrison spurred his horse and got at his revolver. He screamed after McGinnis, ordering him to stop. But McGinnis continued, flailing the horse with the leather quirt.

Deputy Morrison snapped off a warning shot. It only inspired McGinnis and his horse. Morrison's mount was wheeling around now, giving McGinnis even more of a jump. When Morrison fired a second time, his horse wheeled again. The second shot missed everything. Finally, Morrison got his horse straightened out and was about fifty feet behind McGinnis when he snapped off the third shot. It took effect.

Morrison said later, "McGinnis threw up his right arm and fell heavily to the ground, moving neither limb nor muscle." The bullet entered McGinnis' head behind the left ear, and exited through the right cheek.

WHEN THE SOLDIERS HEARD the shot, they rode out of the gulch to see Morrison chasing McGinnis' mount. He caught the pony and returned to where McGinnis had fallen. McGinnis was dead.

Morrison stripped the saddle off McGinnis' horse, and the soldiers wrapped McGinnis' body with the saddle blanket.

Morrison rode on to Sturgis & Goodell's for help.

Morrison told his story to G.B. Goodell and spent the night at the ranch. Goodell's cowboys hauled a box the five miles to where McGinnis' lay and buried him to keep the wolves off.

Morrison continued to Cheyenne, arriving on Friday afternoon.

His story made the Saturday edition of *The Cheyenne Daily Leader*, under the headline, "J.J. McGINNIS KILLED, He attempts to Escape from Ben Morrison and Fails"

Cheyenne was crowded on Saturday. The Union Pacific pay car was in town and the streets and hotels were full. Pedestrians hung onto their hats in the strong gusts of cold wind.

The *Daily Leader* had sent a reporter to Deputy Morrison's hotel. Morrison impressed the reporter, "In deportment he is calm, and speaks with an air of honesty that is convincing. He much regrets the killing of McGinnis, and is sorry that necessity impelled the shooting. He did not intend to kill McG. and was astounded when the latter fell dead."

Morrison and Laramie County Coroner William F. Lee returned to the shooting scene and empaneled a jury from the Goodell cowboys. A.J. Robertson acted as the jury foreman. James Crowley, S.E. Blackwell, J.G. Craft, H. Rivers, and Robert Chambers made up the other jurors.

At Goshen's Hole, the men uncovered the box and body, examined the gunshot wound, and found it to be exactly as Morrison had said. Morrison showed them where he'd fallen behind McGinnis, at what distance McGinnis was when he fired the warning shots, and the fatal bullet.

Again Morrison explained, "I told him if he tried to escape, I told him if he tried to run I would shoot him, he said he would as soon 'take his chances with me as a mob' and started. I shot two shots not intending to hit him thinking he would stop, but he did not. I then fired a third time and he fell from his horse. I then caught his horse and when I came back to him he was laying on his face, dead. I did not take aim at him. I merely shot from my horse without aim at him. The horses were running and he was 40 or 50 feet from me when I fired the last shot."

The jury ruled that death came to John J. McGinnis "by a pistol shot fired by B.N. Morrisson [sic], while he was trying to make his escape, said B.N. Morrisson being a deputy sheriff of Larimie [sic] Co. The ball entered back of the left ear and came out under the right eye." The Inquest was filed on February 26, 1880.

Still, the matter did not end. The *Daily Leader* reported, "As a matter

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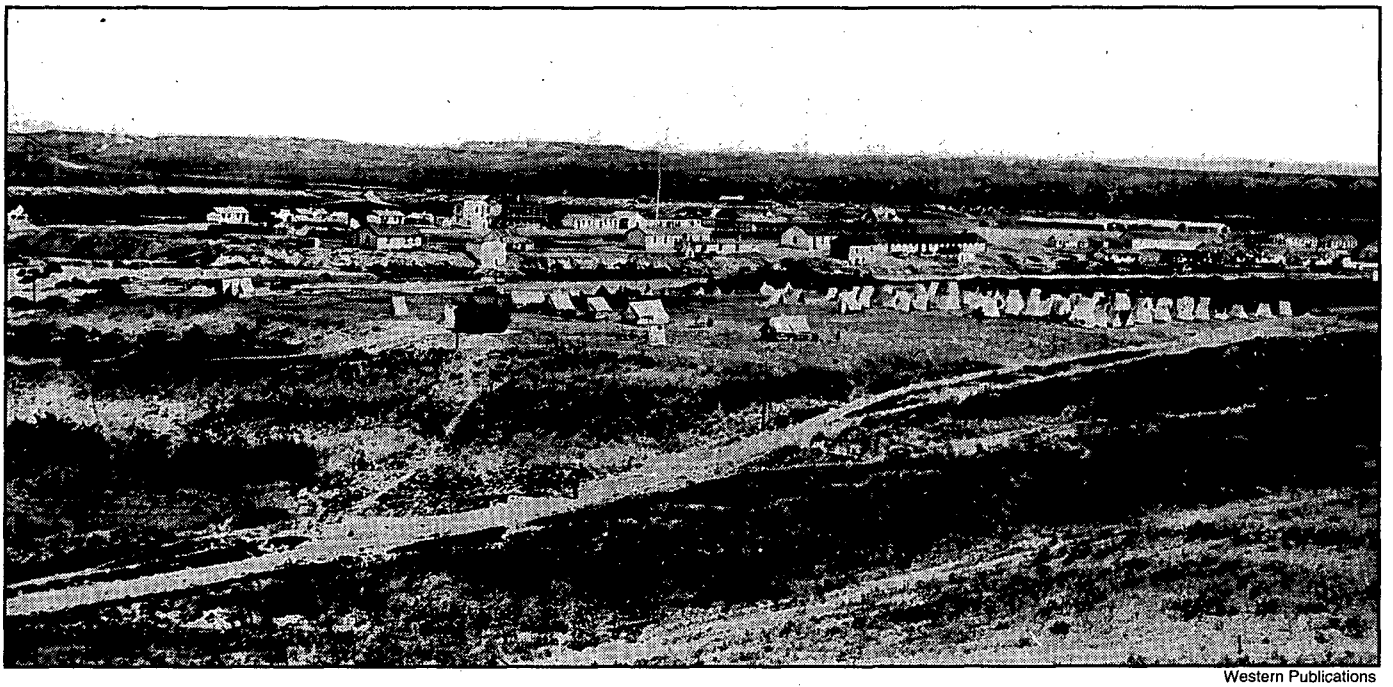

Western Publications

Fort Laramie, Wyoming, late 1860s.

of form the coroner will likely enter proceedings against Mr. Morrison, to the end that the matter may be brought to the attention of the next grand jury. If this be done Mr. M. will be admitted to bail and the grand jury will discharge him, beyond doubt."

In the opinion of the *Leader,* "There can be no question raised as to the justifiability of the shooting, and Mr. Morrison would be relieved immediately were there proper means of doing so before the meeting of the grand jury."

Mrs. Catherine McGinnis, widow of John J. McGinnis, arrived in Cheyenne the day after the inquest. She insisted, "It was murder." She had affidavits. Corporal Richard Howe testified that he and Rogers rode ahead "probably 250 yards and they seemed to gain, because of Morrison and McGinnis lagging behind...and while they were going down the little hill on the other side, they heard a shot fired. They rode back to the hilltop, and Howe swears that he saw Morrison running after the riderless pony which McGinnis had been riding, and that Morrison fired a shot in the air." He and Rogers insisted that they heard only two shots.

The *Leader* reported, "Mrs. McGinnis says that the soldiers told her they believed the hair about the wound of McGinnis' head was burned by the powder from the revolver, indicating the close proximity of Morrison at the time the shooting was done."

Cheyenne was left with a question. Was it murder? Or was it duty?

The *Daily Leader* of February 29 addressed the question and concluded, "Our officers hereabouts would do well to bear these facts in mind. We know they do not wish to do anything illegal, and it is well for them to know just what is legal."

As far as Mrs. McGinnis' charges against Morrison, the *Sun* reported, "Mr. Morrison is well and favorably known by our people and bears an excellent reputation. He is a guardian of the rights, and a laborer in the interests of the stock men of Laramie county. As such we deem it our duty to commend his vigilance rather than denounce him as murderer."

The *Sun* offered, "Quite naturally, Mrs. McGinniss is weighed down with grief at her loss and exhibits that wifely affection which is commendable. But the fact remains that the laws should be vindicated, desperadoes punished and the lawless kept in check."

From early March, Morrison continued to work as a stock detective for the Wyoming Stock Growers' Association. When May came, he was in pursuit of a stock thief, but noted, "I was compelled to abandon the pursuit for the time being as my presence at the spring term of court which convened at Cheyenne May 25 was imperatively necessary for reasons which I will not mention here as I presume they are well understood."

On May 25, 1880, Morrison appeared. He was not indicted.

A short time later, he wrote in his Wyoming Stock Growers' Association report: "I have this to say, that the duties of the position which I now hold is full of perplexities and inconveniences such as are not and cannot be fully understood except by those who have had personal experience in the matter."

Detective Benjamin N. Morrison continued with the Wyoming Stock Growers' Association for some time after the McGinnis incident. As late as May 4, 1892, Morrison was still in Wyoming.

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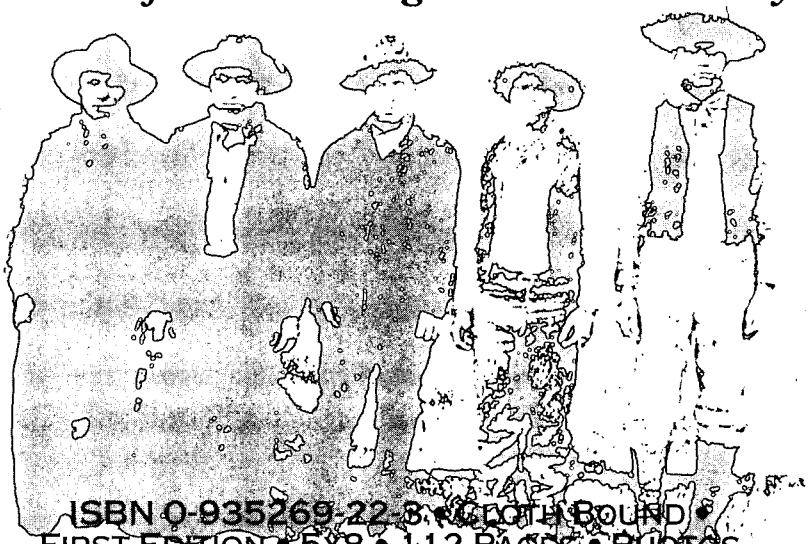

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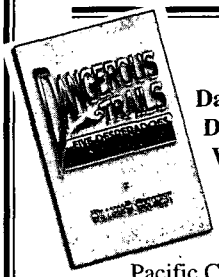

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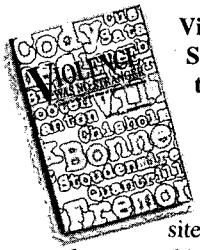

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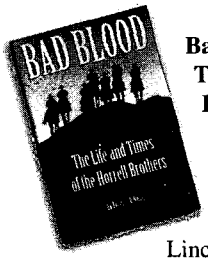

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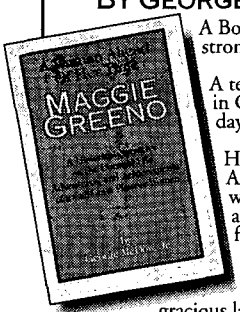

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REVIEWS

Frank Canton, "Good Bad Man"

Alias Frank Canton, by Robert K. DeArment. (University of Oklahoma Press, Norman. x + 402 pp. Notes, bibliography, index. five maps by Rosemary DeArment Walter, 73 illustrations.)

Frank Canton's life has never been told before in detail, although he left considerable materials for future biographers. His family had an appreciation for history and preserved much on his life as well. The life he led was filled with adventure. In some ways he was the genuine "good bad man," representing the dual side of human nature. In Texas, living under his true name of Joseph Horner, he became a criminal and ended up in the Huntsville prison. He managed to escape, and having escaped he discarded his real name of Joe Horner –murdered *him* says DeArment– and became Frank M. Canton. Fleeing Texas, he went to Wyoming where he turned his abilities with a gun to the right side of the law and became an enforcer of laws instead of a breaker of laws.

The general story of Canton's life has been known for some time. The immense contribution DeArment has made with this biography is that he has tracked down the mysterious Horner-Canton from the early years of lawlessness in Texas, the violence of range wars in Wyoming, the fruitless years in Alaska, the lawman of Oklahoma, hunting such public enemies as Bill Doolin. Canton rose from pardoned escaped convict to the exalted post of adjutant general of the state of Oklahoma. From the felon's cell to a friend of governors and presidents, Canton was his own man.

Despitespite the mysterious aspect of Horner-Canton's life, DeArment found that by digging deep into available archival materials he found the man did leave a considerable paper trail. In Texas there were court documents, a prison record, and newspaper accounts of his crimes and activities. Throughout the rest of his career he impressed others and again the paper trail survived in court records, newspapers and letters and reminiscences of those who knew *him* and lived to relate their story. Canton himself left versions of various events, most signifigantly in his own life story *Frontier Trails,* published in 1930. But the advantage of the autobiography also poses a disadvantage in that Canton's memory was highly selective when recalling events of his own life. Some of his writings were no better than lies.

Here DeArment relies on his ability to weigh the various conflicting versions of historical events and determines what most likely actually happened. There were accusations of Canton being a murderer of alleged rustlers in the Johnson County War; accusations followed *him* elsewhere in his career, such as in the killing of William T. "Bee" Dunn in Oklahoma. Was it an act of murder or an act of self defense? DeArment analyzes the varying accounts and helps the reader draw a logical conclusion as to what most likely happened.

There is nothing dry in this narrative of violent events in the life of a violent man. Not only has DeArment made the narrative flow with ease, but many events, such as the acts of the Johnson County War, are described with a definite degree of drama, in particular the telling of the death of Nathan D. Champion.

Canton was not always a hero, and DeArment, who is obviously fascinated with his subject, knows Canton was no model for youth. Canton always seemed to have a burden of some past sin resting on his shoulder. He was a responsible individual and chose to resolve the past

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mistakes of his life. He was able to rise above them Perhaps having to continually deal with past errors, what might have caused career impotence in lesser men, emphasizes the humanness of Canton. DeArment calls it his dealing with "disreputable baggage." In Wyoming and later in Oklahoma he still had the Texas prison break bothering him; he left Wyoming with accusations of murder ringing in his ears. At the turn of the century he was indicted for defrauding the government. That he was able to deal with these consequences of his own behavior and still rise to high levels of power, at the same time raising an admirable family, speaks volumes for the quality of the man's character. It is not surprising that DeArment found the man fascinating.—*Chuck Parsons, Yorktown, Texas.*

A German Soldier

An Immigrant Soldier in the Mexican War, by Frederick Zeh, translated by William J. Orr, edited by William J.Orr and Robert Ryall Miller. (Texas A&M University Press, Drawer C, College Station, Texas, 77843-4354, $35 hardbound. 116 pps., illustrations, maps.)

There are a growing number of memoirs from the ranks of the US–Mexican War, most of them from soldiers who served with General Zachary Taylor in the northern invasion force that crossed the Rio Grande and moved on Monterey, or from those with Colonel Alexander Doniphan during his march from Santa Fe to Chihuahua and Saltillo, or from General Stephen Kearney's army units that advanced from New Mexico to California.

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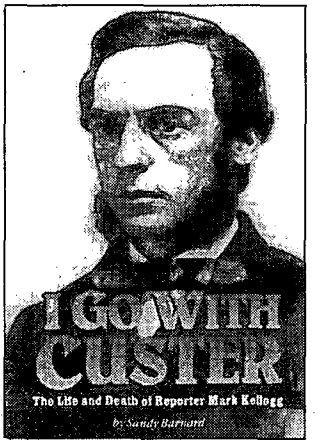

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tories around and in Mexico City.

Christoph Friedrich Wilhelm Zeh, born in Nuremberg, Bavaria, in 1823, and trained as a book dealer, emigrated to the US in 1846 and barely had time to acclimate to his adopted country when he enlisted for service in the war with Mexico as a "laborer" in the Mountain Howitzer and Rocket Company of the Army's Ordnance Department.

Zeh, whose duties included hauling and hoisting bronze mountain howitzers, each weighing 800 pounds, through mountain passes and along rutted roads, and tending the two-wheeled, horse-drawn caissons and clumsy limbers loaded with ammunition chests, saw his share of fighting. He managed his guns during the siege of Vera Cruz and the battles of Cerro Gordo, Contreras, and Churubusco, and witnessed the fighting at Molina del Rey and Chapultepec.

Zeh's service, which ended after nine months in the occupation forces in Mexico City and his return to New Orleans and discharge in July 1848 was clearly his life's moment in the sun, for nothing that happened afterward amounted to much. He sought gold in California after the war, then, his health deteriorating, he drifted and lived in various soldier's homes in Ohio until his death, probably in 1902 (when his last monthly pension check was paid out), at a place unknown to the historical record.

The editors, with this meticulous translation, valuable introductory essay and notes, have done a great service in rescuing this memoir from obscurity. The war with Mexico, obscured by the Civil War in which so many of whose commanders had been blooded in Mexico, was a momentous event in America's era of Manifest Destiny and is illuminated by such a book as this.—*Dale L. Walker, El Paso, Texas.*

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SEARCHING FOR A GRAVE WITH JIM BROWNING

One of the best things about writing a column for *True West* is meeting interesting people from all corners of the country. More often than not the meeting is through correspondence, but occasionally I meet them in person and sometimes lasting friendships develop. One example is my friend James A. "Jim" Browning, who a few weeks ago stopped by for a visit while on his way to points farther west. From South Carolina, Jim has been making trips west for many summers to find and photograph grave sites of famous western personalities, and some not so famous. His book, *Violence Was No Stranger*, available from Barbed Wire Press, deals with the location of Jim's elusive grave sites.

Occasionally Jim knows where a grave is supposed to be located but has a dickens of a time actually finding it to photograph.

Occasionally Jim knows where a grave is supposed to be located but has a dickens of a time actually find-

Author's photo

Jim Browning at the elusive grave of Reuben H. Brown.

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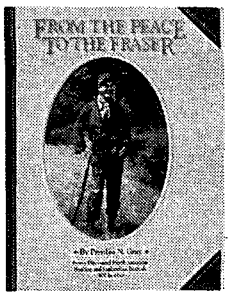

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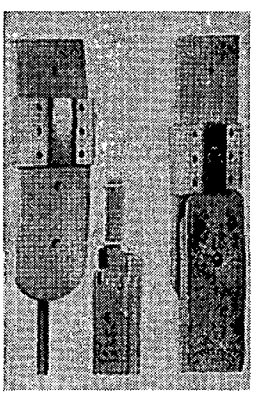

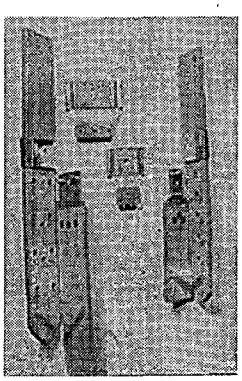

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ing it to photograph. Such was the case with the grave of the city marshal of Cuero, Texas, Reuben H. Brown. Brown was supposedly killed by the Taylor party during the Sutton-Taylor Feud of the 1870s. C.L. Sonnichsen described it in his book *I'll Die Before I'll Run* as the longest feud and the one which affected more lives than any other.

Jim told me he tried to find Brown's grave site, and failed, six times. Together, we tried to find the grave but circumstances such as locked gates and intense Texas heat always kept us from finding the exact location. We decided to search for R.H. Brown another day.

That day came this June when by chance I had been invited to attend a friend's family gathering which included a visit to a family cemetery. In wandering around this small isolated country cemetery I had the distinct feeling of having been there before. By chance I read the name on a broken stone. This piece of broken stone bore the name "Brown." A bell rang, and I examined more closely the stones in the plot. Fortuitously, on one marker, with some difficulty, I made out the name R.H. Brown. Here by chance, I had found the grave site and knew that when Jim stopped by again we would definitely visit this cemetery.

I was able to notify Jim of my "discovery" before he left on his trip, so visiting the cemetery was the number one priority on his list. You can see by the broad smile on Jim's face that the result of six trips looking for that stone finally paid off. Now, if we could just locate a photograph of City Marshal Reuben H. Brown.

What happened to Kid Curry?

Many Old West outlaws came to a mysterious end, some disappearing from history altogether. There has been much controversy over the fate of Wild Bunch member Harvey "Kid Curry" Logan. T.J. Hill of Midland, Texas, read in Colonel P.H. Fawcett's book, *Lost Trails, Lost Cities,* of "a Texas gunman of renown" identified only as "Harvey." Mr. Hill wonders if this man could be Harvey Logan.

Fawcett described gunman Harvey as a "silent, red-bearded man [who had] extraordinary prowess with the six-shooter...a genuine western bandit in earlier days, his life had depended on speed in drawing and sure aim...[and who] 'fanned' his Smith and Wesson." Harvey also had "dodged the Texas Rangers, and escaped south of the border, blasting his way through Mexico in a haze of gunsmoke down the Isthmus, and into South America."

This all made for exciting reading, and Fawcett says Harvey's "exploits would fill a book"

Who this Texas gunman was I cannot say, but I don't believe it was Harvey Logan. He never made it to South America. Nor do I believe Logan would have performed such "show off" stunts as fanning his pistol in a life and death situation. He was an expert with his pistols, and was considered a deadly and unforgiving individual, but not a show-off. Perhaps the character in Fawcett's books had heard of Harvey Logan and merely took his name to hide his true identity.

Logan was one of the men who robbed a train near Parachute, Colorado, in July 1904. He was wounded by a posse and rather than being captured and facing prison again, ended his own life.

Indian Territory Pistol

Gun collector Dick Burdick, of Ventura, California, recently acquired a Colt revolver with a factory applied inscription of "W.B. Jackson Gray Horse I.T." Along with the revolver was a handwritten letter from an employee of the city of Fairfax, Osage County, Oklahoma. Mr. Burdick wishes to learn more about Jackson.

I have only meager information about the man and need help from our readers. Gray Horse was a small community which had a post office from May 5, 1890 to December 31, 1931. It is no longer listed on Oklahoma maps.

As for finding information about a lawman named Jackson, there was

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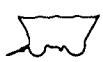
a T.R. Jackson on an undated list of deputies under Marshal Patrick Nagle who worked out of El Reno, Indian Territory. In Guthrie there was a jailor named Jackson who resigned his position in April 1894, replaced by John J. Jennings. In mid-July 1894, a Deputy named Jackson, no first name or initials provided, was mentioned in the Enid, Oklahoma, Daily Wave newspaper. In December 1894 a deputy E.T. Jackson was reported to have become violently insane, believing that outlaw Bill Doolin was intending to kill him.

Any information our readers can supply on this W.B. Jackson will be greatly appreciated.

Mom Typed for Joe Lefors

E-mail has brought a question from reader David Disc, inquiring about Joe LeFors' autobiography. Mr. Disc is attempting to acquire a copy for his mother, who, while she resided in Buffalo, Wyoming, helped Joe type the manuscript. The LeFors autobiography, entitled *Wyoming Peace Officer*, was published by LeFors' wife after his death. Printed by the Laramie (Wyoming) Printing Company, in 1953, it has illustrations, an appendix, and index, and is 213 pages in length. Recently historian Chip Carlson authored a biography based on the original manuscript, entitled *Joe LeFors: "I Slickered Tom Horn"* which would make a wonderful companion piece to the original LeFors autobiography.

A copy of the original LeFors autobiography in good condition would probably be worth $100 or more today.



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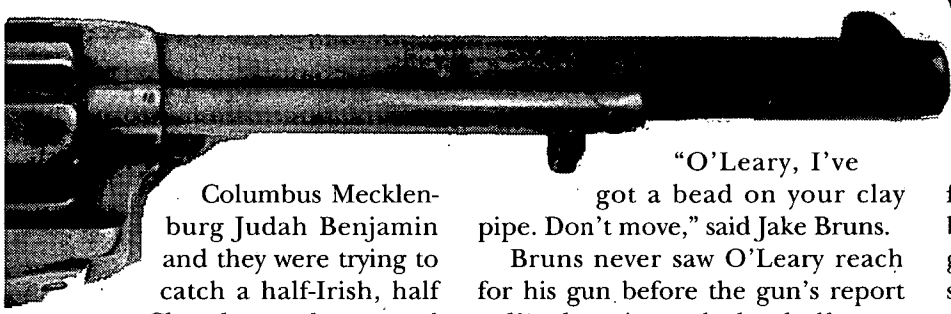
THE BLOODLESS SHOOTOUT

BY PETER HILDEBRANDT

In Indian Territory in 1884, two marshals trying to bring in an outlaw were engaged in a strange running gunbattle that lasted more than ten minutes, with no losses on either side. The two marshals were Jake Bruns and Columbus Mecklenburg Judah Benjamin and they were trying to catch a half-Irish, half Cherokee outlaw named O'Leary. Marshal Benjamin, an African-American, had a reputation as the quietest most self-contained and level-headed man people had ever met. This level-headedness would come in handy one night when the two lawmen finally found their man.



The creak and moan of a loaded wagon came out of the moonlight. Aside from the four mules pulling the heavy rig, Bruns and Benjamin saw the glow of the driver's clay pipe. When the wagon reached within fifty feet of where the marshals crouched in the brush, the two rose silently, guns ready.

"O'Leary, I've got a bead on your clay pipe. Don't move," said Jake Bruns.

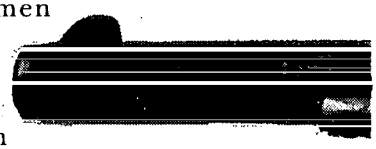
Bruns never saw O'Leary reach for his gun before the gun's report split the air and the ball tore through his right breast. The fallen marshal did not lose consciousness and witnessed what happened next.

O'Leary dropped behind his seat into the wagon bed at the same time that Benjamin plunged into the brush. In the quiet that followed he slowly rose to his feet and moved to the edge of the weeds gripping his gun.

"You half and half man, I can match any of the Indian in you and if not I'll eat your mules!"

The challenge found an answer in the gunshot fired at Benjamin. The taunt did its work. O'Leary, his temper up, leapt from behind his wagon, guns in both hands. "Now you talking...," yelled Benjamin.

With the full moon overhead the night looked bright as day. The two men faced each other just fifty feet apart. When they started firing, each did so with both hands, both men good shots.



The balls ran out at the same time, in all four six-shooters, As O'Leary disappeared behind his wagon, the click of his reloading filled the air. Benjamin stuffed the bullets in his revolver faster than Bruns had ever seen.

Just as he finished the job the battle resumed. O'Leary blazed out from behind the wagon. When both discharged all their shots, Bruns thought he was delirious from loss of blood or that maybe Benjamin somehow had grabbed blanks.

The scene repeated with neither man going down. At the wind-up of the third round, Bruns noted that Benjamin had only six cartridges left in his belt. He jammed these in his righthand gun and threw the other in the brush. O'Leary too, then had only one gun.

"Indian's shy a gun too, I see," said Benjamin as both launched five shots at each other in quick succession.

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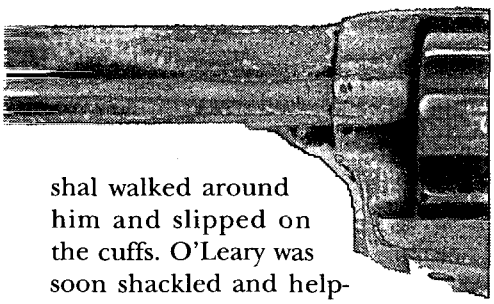
Though Bruns started to doubt his own eyes and sanity at the sight before him, he may have realized too as any experienced marksman does, that it can be difficult and tricky to shoot by moonlight. The waste of lead made more sense.

O'Leary snapped the trigger on his sixth shot , his last. It misfired. Benjamin saw this, and with one shot left in his gun, the marshal slowly raised his gun to the outlaw's heart. "Here's where we fetch you in."

After throwing his gun away, O'Leary raised his hands with a growl. Benjamin went over to Bruns, still lying on the ground, and handed him the gun.

"Keep a line on the half-breed until I get the cuffs on his wrists from behind."

Bruns, weak from blood loss, covered the man while the other marshal walked around him and slipped on the cuffs. O'Leary was soon shackled and helpless.



As the two men who had been blazing away at each other stood alongside each other, Bruns took a look at them. Their clothes were in rags. Their hats and boots hung in tatters. The trousers even looked Mexican-fringed on the sides. Neither man had so much as a graze, though both had surely been shooting to kill.

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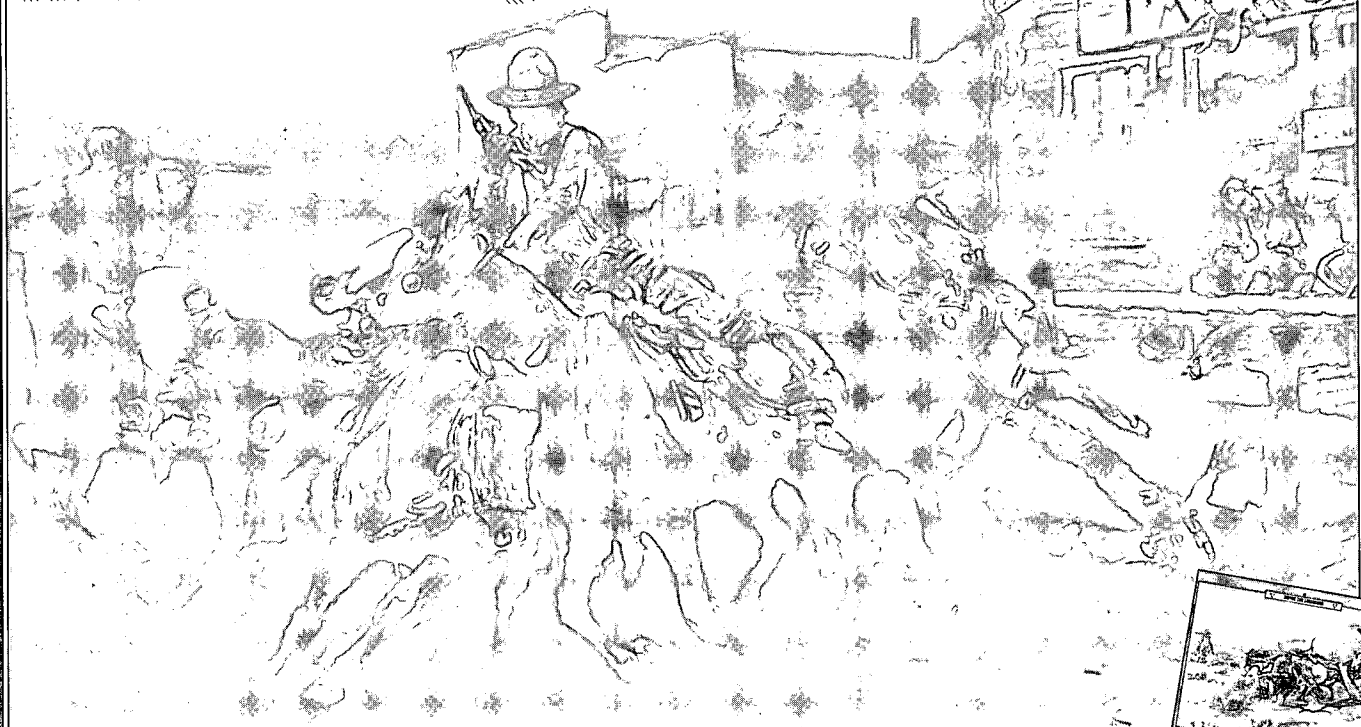

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